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HOUSE OF LORDS—WRIT OF ERROR.

[Before the LORD CHANCELLOR, LORD BROUHAM, LORD ST. LEONARDS, and other Peers.]

JEFFERYS v. BOOSEY.

THIS was a writ of error upon a unanimous judgment of the Court of Exchequer Chamber, reversing the judgment of the Court of Exchequer. Mr. Boosey had commenced, in the latter-named court, an action in the case against Mr. Jefferys for an infringement of the copyright of one of the airs of the opera of *La Sonnambula*. The question that was raised was as to the right of an assignee of a foreign author to have a copyright in a work first published in this country by such assignee. The defendant Jefferys denied that any such right existed, and a further objection was raised by him in the court below, to the effect that in point of form there had been no valid assignment of the copyright to the plaintiff Boosey. The declaration stated that the plaintiff was the proprietor of the copyright of and in a certain book, to wit, a musical composition called "Come per me sereno—Recitativo e cavatina, nell' opera *La Sonnambula* del M. Bellini," which had been first printed and published in England within twenty-eight years then last past, and which copyright was subsisting at the time of the committing by the defendant of the grievance thereafter mentioned. That the defendant, after the passing of the act of Parliament made and passed in the session of Parliament holden in the 5th and 6th years of the reign of her present Majesty, intituled, "An Act to amend the law of Copyright;" and within twelve calendar months next before the commencement of that suit, did unlawfully print, and cause to be printed for sale, divers copies of the said book, contrary to the form of the statute, &c., and did unlawfully publish, and cause to be published divers other copies of the said book, and unlawfully had in his possession for sale and hire divers other copies of the said book, well knowing the said copies and each and every of them to have been unlawfully printed, contrary to the form of the said statute in such case made and provided. The defendant Jefferys (now the plaintiff in error) pleaded—first, that the plaintiff Boosey was not the proprietor of the said copyright in the declaration mentioned; and, further, that there was not at the time of the committing of the supposed grievance a subsisting copyright in the said book. Issue having been joined upon these pleas, the action came on to be tried before Lord Cranworth (then Mr. Baron Rolfe), at the sittings in Hilary Term, 1850. In proof of the above issues, evidence was given on the trial on behalf of Boosey, that the opera of *La Sonnambula*, of which the song mentioned in the declaration was a portion, was composed at Milan, in Lombardy, in February, 1831, by Signor Vincenzio Bellini, an alien, then domiciled and residing at Milan aforesaid; that Bellini was, by the law of Milan, entitled to copyright the opera and all the parts thereof, and had lawful power and authority to assign the same; that on the 19th day of February, 1831, by an instrument in writing, signed and executed according to the law of Milan, and valid by the law there, Bellini assigned the copyright of the said opera to one Giovanni Ricordi, also an alien, and then domiciled and resident at Milan; and that such copyright, and the right of assigning the same, thereupon became, according to the law of Milan, vested in Ricordi. That Ricordi came to this country, and on the 9th of June, 1831, in England (but being then an alien, and domiciled and resident out of the British dominions), duly executed in the presence of two witnesses, who attested the same, an indenture between him and Boosey, whereby, and for a valuable consideration, Ricordi assigned to Boosey the copyright of the opera *La Sonnambula* for publication in the United Kingdom of Great Britain and Ireland only. That Boosey was a native-born British subject, resident in England, and that he published the opera of *La Sonnambula* in London, on the 10th of June, 1831. That there had been no prior publication of the said opera, or

of any part thereof, either in the British dominions or in any other country. That on the 10th of June, 1831, Boosey made the usual entry at Stationers' Hall in respect of the said opera, and deposited copies of the work at the British Museum and other institutions, as by law required; and on the 13th day of May, 1844, he caused a further entry to be made at Stationers' Hall under the statute 5 and 6 Vic., c. 45. On this evidence the learned judge before whom the said action was tried, adopting, as he thought he was bound to do, the last decision of the Court of Exchequer on a subject of this kind, directed the jury that the evidence was not sufficient to entitle Boosey to a verdict on either of the issues, and that the jury ought to find a verdict on both issues for the then defendant, Jefferys. The jury accordingly found a verdict for Jefferys on both issues, on which verdict judgment was afterwards entered up. To this direction a bill of exceptions was tendered on behalf of Boosey, and a writ of error brought in the Exchequer Chamber. The case was argued before the Court at the sittings after Easter Term, 1851, when the Court held that the direction of the learned judge, founded on the decision of the Court of Exchequer, was erroneous, and ordered a *venire de novo* to issue. On this judgment of the Exchequer Chamber the present writ of error was brought into the House of Lords by Jefferys. The case was argued last February by Mr. Sergeant Byles and Mr. Quain for Jefferys, the plaintiff in error, and by Sir F. Kelly and Mr. Bovill (with whom was Mr. Raymond) for Boosey, the defendant in error, when certain questions were put to the judges, who requested time to consider them. Those questions in substance required the judges to state their opinions whether a foreign author at that time resident abroad could by an assignment to a British subject lawfully vest in him copyright in an unpublished work; and if so, whether the assignment made in this case by Ricordi (who was himself the assignee of Bellini) to Boosey conferred on Boosey the rights of an original publisher according to the law of England. The judges were further required to say whether on the evidence given at the trial Ricordi had become the lawful assignee of Bellini, so as to possess a copyright in this country (assuming a foreigner resident abroad to be capable of possessing such right), and to be capable of disposing thereof to a native born subject, and thereby to give the latter the privilege of copyright here. On the 29th of June the judges delivered their opinions. Mr. Justice Crompton, Mr. Justice Williams, Mr. Justice Erle, Mr. Justice Wightman, Mr. Justice Maule, and Mr. Justice Coleridge delivered opinions to the effect that copyright existed in a foreigner, that the assignment here was valid, and that Boosey was entitled to recover. Mr. Baron Alderson, Mr. Baron Parke, Lord Chief Baron Pollock, and Lord Chief Justice Jervis were of a different opinion, and held that Boosey had no lawful title to maintain the action. The case then stood over to this day.

The LORD CHANCELLOR now moved the judgment of the house. Having stated the nature of the case and the pleadings, the trial before himself when a baron of the Exchequer, the bill of exceptions against his ruling, and the judgment thereon, and then the argument before this House, and the judges' opinions, his lordship said this case had been very ably argued at the bar, and it was impossible to overrule the advantage which the house had derived from the assistance of the judges: their arguments had exhausted the subject, and the house had now only to decide between their conflicting opinions. He should have been glad to avoid expressing any opinion, but it was his duty not to shrink from that responsibility, and he now therefore gave his advice to their lordships as to the decision which they should adopt. He adhered to the opinion he had originally pronounced. The right now in question was not the right to publish, or to abstain from publishing a work not yet given to the world, but was the right to have the exclusive power of publishing such a work. Copyright thus defined was, if not the creature of the statute law, at least a right entirely regulated by it. The question here turned chiefly on the 8th Anne,

c. 19. The object of that statute, as expressed in the preamble, was to encourage learned men "in composing useful books." His opinion was that that statute was to be construed with reference to British authors only. *Prima facie* the Legislature must be taken to legislate only for its own subjects, and the object thus declared to be in its view must be taken to be a merely national object. Of course, the foreigner who was not resident abroad, but was resident in this country, and was subject to its laws, was for the time he was so subject to them in the condition of a native-born subject; and if he came here and published his work here, though he came here only for the purpose of publishing it, he would be within the protection of the statute. But if he resided out of the kingdom at the time of such publication, the statute did not protect him. He (the Lord Chancellor) was aware of the argument which had been used against this rule, by representing an absurdity as flowing from it. Thus it was said that it was absurd to give the protection of the statute to a man who crossed over from Calais and published his book here, and to refuse it to one who stayed in Calais and got an agent in this country to publish it for him. But the answer to that argument was, that in all cases in which a rule was laid down there must be a line drawn somewhere, and that no line could be drawn in any case without some instances of its application appearing that would bear the semblance of hardship or absurdity. There was some distinction between copyright in books and patents for inventions. The Crown had, by the common law, a right to grant to a subject a monopoly in a certain manufacture, and all that the statute of James did was to confine the exercise of that within definite limits. His opinion was founded on the general doctrine that this British statute was passed for British subjects, properly so called, or for those who obtained that character for a time, by being resident in this country, and living under the allegiance to the Crown, and under the protection of the laws of England. He did not find any authority in the cases which impeached this doctrine, except in the present case and in those on which it proceeded, and which must therefore be considered to be now under review. His lordship here entered into a detailed examination of all the cases, remarked how, in this instance, the minds of the ablest men had differed on this subject, and concluded by expressing his opinion that the judgment of the Court of Exchequer Chamber must be reversed.

Lord BROUGHAM said that he must begin his observations by expressing his entire concurrence with his noble and learned friend as to the great ability with which this case had been argued at the bar of this house, and the great advantage which their lordships had derived from the opinions of the learned judges. It was not necessarily to be assumed that the much-vexed question of the common law right to literary property was disposed of in this case, though undoubtedly, in the opinions of some of the judges, useful light was thrown on that question. He himself could not avoid forming some opinion upon it. With relation to patents for inventions, Lord Coke, in commenting on the statute of James, had said that that statute was to be considered as a judgment in Parliament against the right of exclusive manufacture, except by grant from the Crown; and, indeed, by the 10th section of that statute, certain monopolies which then existed were expressly protected and declared to be saved from the operation of the act. For himself, he believed that literary property was like, or even more than, patented inventions, the mere creature of the legislature, and such, he thought, might be considered the principle on which a case argued by himself, in 1812, had proceeded. Then, if the right was created by the legislature, could it be said that the legislature had it in contemplation to vest the right of copyright in anybody but the subjects of the realm, and those who claimed under them? Legislatures in general only legislated for their own subjects. The statute of Anne was not an exception to that rule. It was statute for the encouragement of learning, by giving to those who published useful books a monopoly in the publication of them. That was an encouragement given at the expense of the subjects of the realm, to whom it raised the price of those books; and being thus given at their expense, it must be considered to have been given exclusively with a view to their advantage. By the earlier statutes certain high functionaries were entrusted with the power to fix the price of books, another fact which showed that the legislature had entirely directed its attention to what was to occur within the kingdom. He entirely agreed with his noble and learned friend, that the apparent absurdity of giving the right of exclusive publication to a foreigner resident here, and refusing it to a foreigner not resident here, was answered by the fact, that no law could lay down any rule of distinction on any subject without incurring the risk of exhibiting instances in which the application of the rule might appear to produce absurd results. But instances of that kind did not show that the rule thus possibly capable of an absurd application did

not exist. He now came to the point that by the law of Milan, Bellini had a copyright, and by the law of Milan Bellini transferred that copy right to Ricordi. Such was the statement in the bill of exceptions. But his answer was that that copyright, created by the law of Milan, existed nowhere but in the particular country the law of which created it. Being the creature of a positive law it could exist only by the force of that positive law, and consequently could not have existed in countries where that law had no force. Such was the principle on which, long ago, in Somerset's and Wedderburn's cases—for both England and Scotland had the unfading honour of deciding that the status of slavery could not be indefinitely fixed on any man—it had been declared that slaves brought to this country became, by that fact alone, free men. The law of copyright was the law of each country—its forms must be observed in each, and in no other country could that law have any force. Applying these various principles of law to the present case, and finding nothing in any of the decided authorities to controvert but much to confirm them, he was of opinion that the judgment of the Court of Exchequer Chamber, which held that copyright existed in this case, and was enforceable here, was erroneous, and must be reversed.

Lord ST. LEONARDS said that, after the elaborate arguments which their lordships had just heard, he should confine himself, in delivering his opinions, to making a few observations on the case. He cordially concurred with his noble and learned friends as to the advantage which the house had derived from the able arguments at the bar and the elaborate opinions of the judges. In consequence of these arguments and opinions their lordships had rather to select the opinion they would adopt than to form any original opinion. The simple question was, whether a foreigner could obtain in England a copyright by first publishing his book here, though he himself was resident abroad. This supposed right was put upon two grounds; first on common law, and then on the statute. As to the common law, he never entertained a doubt that no such right had ever existed. If a mechanic invented a machine, and disposed of a single copy of it, that copy might (except for the statute) be multiplied by the person who had properly obtained possession of it. It was the same with a description of a machine as with a machine itself. It appeared to him, therefore, perfectly clear that there was no common law right in one case or in the other. There was a distinction between the right of a man to his own manuscript, over which he had the most absolute power, as he had over any one of his personal chattels, and the right to multiply copies of that to the exclusion of other persons. The former was a common law right, the latter entirely depended on statute. But, even if the common law right existed, what common law right could a foreigner resident abroad possess? If he came here and owed an allegiance, a temporary allegiance, to the Crown, he might possess such a right, but he could not possess it while he remained abroad. Then, if the right was created by the statute, the same reasoning would apply. The operation of a statute could not be extended beyond the dominions of that State in which it was passed. Then, what was the meaning of this statute? In the year preceding that in which it was passed, the legislature, deeming that increase of population was increase of wealth and of strength, passed an act to encourage foreign Protestants to settle in this country—a fact which showed that the legislature did contemplate advantages to be derived from foreigners, but from foreigners resident here, and not resident abroad. Then, as to the cases. Everyone must admit that this case was wholly uninfluenced by authorities, no one of which would decide it. The house was, therefore, again required to look at the statute, and to decide what was the meaning of the legislature. That meaning seemed to him to be clear from doubt. The first publication was to take place in this country, and no protection was given to books printed abroad. The object of that was to advance the interests of the British people, as well as to increase the amount of their learning. Of course the statute did not require that the work must be composed here—such a matter was beyond the power of legislation—but it must be printed here; and that fact gave the key to the other provisions of the statute. The terms of the 12th Geo. II., c. 36, prohibiting the importation of books reprinted abroad, showed that the legislature assumed that the books to be protected under the statute of Anne must have been books printed in this country. To be protected by the statutes, the books must first have been published here and first printed here; and if so, that would go to show that the persons who printed and published them could not be foreigners who were resident abroad. These considerations rendered the constructions of the statute plain and easy. The Court of Queen's Bench, some years ago, said that "the statute of Anne not only gives protection to authors as to books thereafter to be published, but to books previously printed; but the British legislature must be supposed to have legislated with a view to British

interests and the advancement of British learning." If, then, there was no common law right, and if the statute did not apply to foreigners as foreigners, then there must be a new right, and the foreigner must bring himself within the terms of the act, and must be able. It might be said that if residence here was necessary, it would be difficult to say what was sufficient residence; but no such question would arise. It would be sufficient that he had such a residence as imposed a temporary allegiance on him, and gave him that protection of the law to which every foreigner was entitled equally with the subjects of this realm while he remained in this country. None of these difficulties would arise in the United States, for there they had expressly enacted that the native citizen only, or such persons as had been resident there for a certain time and in a certain manner, should be entitled to copyright. The Americans, therefore, had taken care to enable themselves to import the works of foreign authors, to refuse altogether copyright to those authors, and to obtain advantages for which they paid to the authors whose works they used no consideration whatever. The literary men and others in the States had endeavoured to introduce another system of law, but they had not succeeded. That was some argument to show that in refusing here to give copyright to foreign authors, it was not necessary to put a strained construction on the existing law, though undoubtedly, had the law borne a different construction, that different construction must and would have been given to it without reference to the mode of dealing with these matters practised in other countries. Under these circumstances he was clearly of opinion that there was no common law right, but that, even if such a right did exist, a foreigner resident abroad had no claim under it. Then, as to another point; suppose the copyright to exist in Milan, it could have no effect in this country. Copyright was not like a personal chattel, which the owner could transfer at pleasure to another person. It was a right which existed only by force of the law of the country that created it. Again, the transfer, though good by the laws of Milan, was only good there, and was not a good transfer of this sort of right by the laws of this country. Bellini was assigning in this country that which did not exist in this country. The assignment was therefore valueless. Besides which, the assignment was only to a part of the British dominions. Now, the right was one and indivisible. It capable of being assigned, it must be assigned in its entirety; but here it was only partially assigned, and in that respect the assignment was incomplete. Then, again, the assignment was defective in form, according to the laws of this country; and being so, it could not be enforced here. The assignment was altogether the creature of statute, and was required to be in the form given by the statute; and if not in that form it was invalid. For all these reasons he was of opinion that the judgment of the Court below was erroneous, and must be reversed.

Judgment of the Court of Exchequer Chamber reversed.

MUSICAL TASTE IN ITALY.—We are happy to give publicity to the following, from an Italian paper, *Il Pirata*, relating to the coolness with which Rossini's *Cenerentola* was received at the theatre in Leghorn, being of the same opinion as the writer regarding the present taste of the Italians in musical matters:—

"We cannot withhold expressing our disgust at the reception given to this masterpiece of melody and composition. The fact is the ears of the public are accustomed to other things, and these ears which of late years have grown to such enormous length, cannot appreciate the beauties of an opera written when Italy could boast of having a really good school of singing, and composers who knew how to write for the voice. In our time shouting is called singing, spasmodic convulsion is mistaken for expression, and the public is in ecstacies, provided they have half-a-dozen murders; the happy author is then called for and crowned with laurel. Alas! Let us however hope that if our contemporaries do not relish Rossini's music, if we have got into the wrong path and forgotten all the traditions of the past, that our successors at least may evince more judgment, and a truer appreciation of the really beautiful in music."

To which we say "Amen!" with all sincerity and heartiness.

HYSSOP WOS'T DO.—In a town in America, a certain doctor was choir-leader. One Sabbath, the hymn given out by the minister, commenced with the following line: "With hyssop purge thy servant, Lord." The doctor pitched the tone and led off, but broke down before finishing the line. He tried a second and third time with the same result, when a wag on the ground-floor rose in his pew, and, turning his face upward to the choir, exclaimed: "Try some other herb, doctor."

YANKEE PUNNING.—The fellow who tried to get up a concert with the band of his hat is the same who, a few weeks since, played upon the affections of a lady.—*New York Musical Review*.

A FRENCH APPRECIATION OF HENRIETTA SONTAG.

(Translated from *Le Moniteur*.)

HENRIETTA SONTAG was seventeen years old when she made her *début* at the Théâtre Italien, Paris, as Rosina in the *Barbiere di Seville*. Light complexioned, pretty, and *distinguée*, with beautiful blond hair, a clear voice, the agility of a bird, a vast amount of seductive grace, and little or no sentiment, she assumed a position, from the first, in the esteem of the amateurs of Louvois, a little above that allowed to Mad. Damoreau—then the Signoretta Cinti—and very near to that claimed by Mad. Mainvielle-Fodor, the Italianised French lady, whom Stendhal christened at the time a "Sublime Bird-organ" (*serinette sublime*).

Like all exceptional organisations, destined to achieve a brilliant future, Henrietta Sontag had several successive styles. She entered the second phase of her talent at the time that Maria Malibran, two years her junior, made her *débuts* with the splendid success so well remembered by all of us, at the Opéra, in *Semiramide*, which was given for the benefit of Galli, and at the Italiens in *La Gazza Ladra*. From 1828 to 1830, there was a contest on alternate evenings between the two *virtuose*, whose respective admirers, according to invariable custom, insisted on regarding them as rivals. On the part of Sontag, the struggle rose to the height of emulation, but with Malibran it sometimes descended to jealousy, although everyone, including Sontag herself, did justice to her talent. Malibran knew that she was greater than her fellow-competitor for public favour, but felt and avowed that the latter had reached a provoking and incomparable perfection. In the midst of the boundless enthusiasm caused by the lightning inspiration of her own genius, Malibran would envy the starlike serenity which the pure art of Sontag attained without an effort. Often, after one of those marvellous performances of her rival in the *Barbiere*, poor Marie would exclaim, with tears in her eyes, "It is shocking that any one should sing so well." But this was nothing. One evening, Rosina took it into her head, without reflecting much upon the difficulty of the task, to undertake the part of Donna Anna in *Don Juan*, which no artist, even Giulia Grisi, could attempt to sing after Malibran. This caprice turned out more than a revelation—it was a transfiguration. The "thrush"—as Sontag was then called—laid an egg in the nest of the eagle. Malibran never forgave her, and, on one occasion, when the two singers—one having to play Donna Anna, and the other Zerlina—were to dress in the same room, Marie, who had taken possession, shut herself in and locked the door, refusing not only to open it for her rival, but even to give her her costume, for which Henrietta was begging almost upon her knees. The consequence was, that Donna Anna kept the stage waiting, and was unable to sing the recitative of the first act, in which her expression, her voice, her look, her gestures, and, in fact, every thing she did, was "epic."

The Countess Merlin succeeded in effecting an apparent reconciliation between Malibran and Sontag, at a *sorée*, by means of a plan, which, with Machiavelian talent, she had prepared for the occasion. The guests, however, were in the secret. The rivals being unexpectedly called to the piano at the same moment, the accompanist courageously began the *ritornello* of the duet in *Tancredi*. There was no avoiding the alternative, and Aménaïde and her knight sang the duet in such a manner as to electrify the whole assembly. Yielding to the enthusiasm they had excited, the two artists, under a spontaneous impulse, threw themselves into each other's arms, embraced, and separated—mortal enemies. The *dénouement* of this comedy was artistic. The manager of the Théâtre Italien conceived the lucky idea of reviving *Tancredi*, and the success of the experiment occasioned so lively a sensation in Paris, that, for a moment, diverted public attention even from politics—and from what politics?—from the politics of that year which saw the premonitory warnings of the Ordinances of July! The old King, Charles X., absorbed by the cares of royalty and almost divorced from the world, was suddenly awoken, in the recesses of his palace, by the magic echoes of a duet marvellously executed, and his last visit to the theatres was to hear Malibran and Sontag, associated like sisters, in one and the same triumph.

The two came into contact, on another occasion, under more intimate circumstances than the life and triumphs of the stage. From a piece of indiscretion in the memoirs of the Countess Merlin—which has long since found its way from the book to the newspapers—we know that the celebrated violinist, De Beriot, was cured of a hopeless passion for Henrietta Sontag by his marriage with Garcia's illustrious daughter, Maria Malibran, at first the *confidante* of a despised lover, ended by lighting in her own heart that flame which she had endeavoured to extinguish in the heart of another.

A short time after this Mdlle. Sontag left the stage to marry an ambassador—Count Rossi. Like a skilful fisherman who knows how to angle in the waters of success, M. Scribe sought for inspiration in this unheard of good fortune of the singer, and, in conjunction with M. Auber, produced the *Ambassadrice*. The piece is charming, but, in writing it, the author was guilty of a want of tact which very much resembled a want of breeding. In giving the name of Henrietta to his heroine, he of course made it generally understood that the Countess di Rossi herself was intended. M. Scribe had not long to wait for the reproof he merited, and the crowned heads of Europe took upon themselves to administer it. At Berlin, Vienna, and St. Petersburgh, the great artist of the Théâtre Italien took her place, honoured and respected, at the tables of Kings and Emperors. There is no doubt that the silent respect paid to the woman of talent was slightly perceptible in the welcome accorded to the Ambassadress—a delicate distinction which seemed to say:—"You may forget the past; we shall remember it."

Up to this point, the artist had wanted the great consecration of talent in this world—misfortune. One day, however, the noble lady found herself as poor as the young artist had been on her first appearance. The despair of her family imposed a heavy task upon her. She did not hesitate. Abandoning the name of Rossi, which she had received as a boon, and adorned with all the modest virtues of domestic life, she courageously resumed that which, twenty years beforehand, she had left behind her on the road to fame. Since Mad. Sontag had retired from the stage, two generations of singers had shone and disappeared. Like another *Sleeping Beauty*, when she awoke from her dream of fortune, she saw a new public and a new style of art. Possessed herself of a pure style, a real taste, a quiet grace, and sober judgment, it was by violent exaggeration, glaring colouring, and material effects, that success was now to be achieved. Moreover, if we may venture to say it—there was another more terrible danger than all the rest combined. She had long passed that age twice celebrated, by Balzac and Charles de Bernard, the poets of twilight love; she was ceasing to be a woman to be undividedly the wife and mother. She did her duty, however, and trusted to Providence, and Providence, who had inspired her with courage, gave her once more youth, beauty, talent, and the success of former days.

Let us attempt, in a few words, to analyse her talent, which, if not the greatest, was assuredly one of the purest that ever enriched the Italian school. As singer and actress, we can, perhaps, compare Madame Sontag to no one better than to Mdlle. Mars. The two possessed the same perfection, confident in itself, the same experience of stage effects in which nothing was risked, and all so well regulated by taste, that the refinements of art were inseparable from the simplicity of nature. If Araminthe and Célimène could be touching and passionate in the Duchesse de Guise, Rosina reached the acme of pathos in the second act of the *Sonnambula*, and exhibited an equal superiority in Donna Anna, Zerlina, Norina, the Countess, Linda di Chamouni, and the *Vivandière*. But the best eulogium that can be pronounced upon Sontag is that she alone, after the death of Rubini, represented and adorned the great Italian school, and was the last model of a style that has for ever disappeared.*

But the following says far more in Madame Sontag's praise. To the last day of her life and of her triumphs, the respect of all who knew her persisted in restoring the emblazoned coronet to the artist who had voluntarily resigned it. Her comrades

never called her anything but "*Madame la Comtesse*." Even amidst the loud applause with which the crowd greeted her reappearance on the stage, before and after justice had been rendered to the singer, it was easy to distinguish the respect which was entertained for the virtuous lady, the devoted wife, and mother. Combined with the most exuberant enthusiasm, there was always a something which seemed to say, "Will *Madame la Comtesse* permit us to applaud her?"

MINNELIEDER.

(From *Le Ménestrel*).

We live in an age of discoveries and recoveries. Every day some remains of the past are exhumed either in France or Germany. The following is a letter we have received from Elsenach, bearing date the 20th July:—

"A short time since a magnificent manuscript on vellum, ornamented with miniatures, was discovered in the grand-ducal library at Jena. It contained a small collection of *Minnelieder* (songs of the *Minnesänger*, or troubadours of Germany) of the conclusion of the thirteenth and commencement of the fourteenth century, all unpublished, and all with the tunes noted down. After having ordered an exact copy to be made, the Grand Duke offered the original manuscript to the King of Prussia, who has always taken a great interest in these specimens of antique German poetry. His Royal Highness having expressed a wish to hear the *Minnelieder*, Professor Lilgenkren, of the University of Jena, carefully revised the text, which is in the Swabian language, and Herr Stade, music-director in the same University, wrote orchestral accompaniments, which in no way interfered with their original character. The *Minnelieder* were executed by a union of the Philharmonic Societies of Elsenach and the neighbourhood, at the foot of the mountain on which stands the celebrated castle of Wartbourg, where a poetical tournament took place in the year 1207, the most celebrated of the *Minnesänger* of the period being the competitors. The Grand Duke and Grand Duchess of Saxe-Weimar-Elsenach, with the Duchess of Orleans, honoured the festival with their presence, and an immense concourse of spectators was attracted. Their Royal Highnesses expressed their entire satisfaction to Herr Stade, and to the performers, about four hundred in number."

The verses of the *Minnesänger* are, without dispute, the most curious monuments existing of ancient German literature. The largest collection of *Minnelieder* is that which was made in the fourteenth century, by Rudger von Menesse, a senator of Zurich. A splendid manuscript copy of this exists in the Bibliothèque Impériale at Paris. It contains about fifteen hundred *Lieder*, by one hundred and forty various authors.

MEYERBEER'S MOTHER.—We read in the *Revue et Gazette Musicale*, of Paris, that Amalia Beer, the mother of the illustrious composer of *Robert le Diable* and *L'Étoile du Nord*, died lately at Berlin, aged eighty-seven. All who were acquainted with that lady are agreed as to her superior mind and accomplishments, and unite in their tribute of grief to her virtues, her kindness, and her liberality. In the course of her long existence she enjoyed the happiness, so precious to a mother, of seeing all her sons distinguished either in science, letters, or art. This felicity was much increased by the repeated triumphs of Meyerbeer, who was with his mother in her last moments, and never left her until she had ceased to exist.

AUTOGRAPHS.—In an artist's album in Paris, Alboni wrote five bars of music, containing her lowest and her highest note, and underneath, "The compass of my voice.—*MARIETTA ALBONI*." An actress contributed the following:—"I make my *début* to-morrow night at the Comédie Française, and am very much afraid.—*DELPHINE MARQUET*." M. Fouché compared birth to a box-office, thus:—"If people paid on entering life, wouldn't everybody ask his money back on leaving it?"

CHURCH MUSIC.—*Dwight's Journal of Music* reports that an organist in one of the Connecticut-River Churches, gave out to his choir Jullien's *Prima Donna Waltz* adapted to the well-known hymn, "A charge to keep I have, a God to glorify," etc. A book of music for sabbath-schools has been published in Boston, containing this same *Prima Donna Waltz*, adapted (!) to the words, "He knows we are but dust," etc. The same book contains Strauss' *Duke of Reichstadt's Waltz* set to sacred words.

* Our contemporary seems to have forgotten the existence of Marietta Alboni.—ED. M. W.

ROYAL ITALIAN OPERA.

The last week but one of the season has arrived, and Madame Grisi's last performance on the stage in England (except at her benefit, which takes place on Monday) was given on Thursday. It is to be regretted that she did not, as was contemplated, bid farewell to the English stage as Ninetta in *La Gazza Ladra*, the character in which she first appeared at Her Majesty's Theatre, and with which her name was so intimately associated for many years. This, however, was impossible, in the absence of an efficient representative of Fernando Villabella. Sig. Ronconi, for reasons not very clear, declining to undertake the part and give up the Podestà to Sig. Lablache, Sig. Tamburini, we believe, was invited by the manager to undertake the part of the father for Mad. Grisi's last performance, but refused. Had he consented, the cast, with Madame Grisi as Ninetta, Signor Mario as Gianetto, Signor Lablache as the Podestà, and Sig. Tamburini as Fernando, would have recalled the best days of the Italian Opera in the Haymarket. *Anna Bolena* was announced as one of Madame Grisi's final performances, but was withdrawn, like the *Gazza Ladra*, for no reason assigned. Madame Grisi's recent performances have, therefore, been confined to *Lucrezia Borgia*, *La Favorita*, and *Norma*.

On Saturday *L'Elisir d'Amore* was substituted for *La Favorita*, postponed in consequence of Signor Mario's hoarseness, which prevented him from continuing his performance of Gennaro in *Lucrezia Borgia* on Thursday. Donizetti's charming lyric comedy went off with *éclat*, Madame Bosio singing delightfully, and Signor Ronconi keeping the audience in a state of incessant excitement by his whimsical extravaganzas. This is the first time that any other artist has performed the character of the mountebank, Dulcamara, with Signor Lablache in the same theatre. *L'Elisir d'Amore* was followed by the second and third acts of *Masaniello*. We have frequently objected to curtailments of great works like the *Muette di Portici*, which answers no purpose whatsoever, except that of ruining their standard attraction. Sig. Tamberlik sang the barcarole magnificently, and was ably supported by Sig. Tagliafico in the "Liberta" duet, which was loudly applauded, and, as usual, shamefully curtailed of one half, beginning in one key and ending in another. *Norma* was given on Monday, with the second act of *Il Barbiere*; and on Tuesday, Sig. Mario having recovered from his indisposition, *La Favorita* was performed for the last time, with Mad. Grisi as Leonora. On Thursday, the last performance of *Lucrezia Borgia* took place.

The theatre has been crowded on the farewell nights of Mad. Grisi, but the other nights have suffered in consequence. This was no more than what might have been expected. One great attraction, like the serpent-rod of the prophet, swallows up the rest.

One more performance, and Mad. Grisi bids adieu for ever to the English public.

On Monday, her benefit night, she takes her leave in the first act of *Norma* and the first three acts of the *Huguenots*. Mdlle. Robert, the well-known *danseuse* from the Grand Opéra at Paris, made her first appearance this season on Tuesday night, in the *divertissement* in *La Favorita*, and was very favourably received. She appeared for the second time on Thursday night. Her dancing is remarkable for elegance and agility.

To-night *Otello* will be repeated.

MR. T. M. MUDIE has arrived from Edinburgh, to pass the mid-summer holidays in London,

DRAMATIC.

OPERA-LYRIQUE.—ST. JAMES'S THEATRE.—On Wednesday last this company terminated their series of performances by Donizetti's comic opera *La Fille du Régiment*, in which Madame Marie Cabel played the principal part. The representation being for the benefit of the director, we do not feel called upon to do any more than notice the fact, so much the more that we have already called attention to the remarkable success obtained by Madame Cabel in this particular part. A few remarks on the doings of the company and on the operas produced may not be inopportune, as they may help to point out the difficulties to be surmounted, and serve as a guidance, by indicating past errors, to any future operations that may be contemplated. The operas produced under the present management have been *Le Bijou Perdu*, *Le Roi des Halles*, *La Promise*, *La Sirène*, *La Fille du Régiment*, *Les Diamants de la Couronne*, and *Le Domino Noir*, not to mention several small operettas in one act which were introduced to make up the programme of the evening's entertainment. We thus find seven operas given in about as many weeks, which alone would speak well for the energy displayed by the direction. We must deduct, however, from our list two operas—*Le Domino Noir* and *Le Roi des Halles*—in which Madame Cabel did not appear, and which must consequently be struck off. And here we may tender a word of advice. Let no future manager (let not M. Desgranges, if, as we hope, he returns) produce, in London, a work, however great its merit, unless it can be brought out in the best possible manner, so that it may not suffer from comparison with previous performances, as was more particularly the case with *Le Domino Noir*, which, at the St. James's Theatre, we have seen with Mad. Charton and M. Couderc. An opera should be done well or not at all. It would be more advisable to give artists a holiday, by which they as well as the public, would be the gainers—to say nothing of the critic.

The company of the Opéra-Lyrique in general, it must be confessed, did not come up to general expectation, with the sole exception of Madame Marie Cabel, who went far beyond it. Madame Cabel was a tower of strength, but it must be owned that even she was not always put forward under the most favourable auspices. The opera chosen for her *début* did not please the London audience, and attention was divided between the merits of Mad. Cabel and the demerits of M. Adolphe Adam. Exceptions were taken—criticism was on the alert—the music was condemned; and the lady could not fail, with all her genius and talent, to suffer in the conflict. No English manager would have made such a mistake, as to produce his trump card under such auspices, knowing, as he would know, that novelty does not necessarily imply superior attraction, and that it is always a fatiguing task to judge of the merits of a new opera and a new singer at one and the same time. It will be objected that, having played the *Bijou Perdu* a great number of nights in Paris, the company were not prepared with any other of the operas subsequently produced, and which form an indispensable portion of the *répertoire* of the Opéra-Comique. We merely answer, that it would have been better to defer the opening for a week or more, and then start with a much better chance of success. We have heard it objected that Madame Cabel did not wish to provoke a comparison with her predecessors. But the truth is, that Madame Cabel need not have feared any comparison with any predecessor. They had their particular talent, and she has hers, which is of the highest possible order.

Madame Cabel thus came before the London public under very serious disadvantages; and it was only after the production of *La Fille du Régiment* and *La Sirène* that she received the enthusiastic praise to which she was entitled. After the latter opera, her success no longer doubtful, she went on increasing in popularity, and was recognised for what she undoubtedly is—a gifted, original, and perfect *artiste*. In the *Diamants de la Couronne* she so confirmed the public opinion in her favour, that there can now be no further doubt about her novel and extraordinary talent. We have at different times given our opinion of Madame Cabel at length, and we feel persuaded that, should she revisit London on any future occasion, she will have every reason to be satisfied with her reception.

We may dismiss the remainder of the company in a few words. Mdlle. Girard is an intelligent and clever person, and ably seconded Madame Cabel. Madame and Mdlle. Vade were also very useful in their particular line of subordinate characters. The men, with the exception of MM. Sujol, Junca, Colson, and Pierre Laurent, were not at all up to the mark, and this department of the company must be considerably modified before the public can be satisfied. The management must now be convinced of one fact—that the composition of a theatrical audience is essentially different in Paris and in London. In Paris, each theatre has its special audience, which rarely goes elsewhere; in London, on the contrary, the same people who go to the St. James's frequent the Italian Opera, and the style of execution to which they are accustomed at the latter makes them very difficult to please wherever else they attend.

PROVINCIAL.

THERE is nothing but stagnation in the provinces at the present moment, and this is likely to be the case until the tours, the Italian and German Operas, and the festivals commence. A new organ has been opened at Blackburn. The following account of the ceremony is taken from the *Manchester Examiner and Times*:

"On Thursday last, the new organ, built by Messrs. Gray and Davison, of London, for the Independent Chapel, Chapel-street, was opened with considerable éclat. The principal portion of the performance consisted of selections of music from Handel. The solo parts were sung by Miss Whitham, of Huddersfield, Miss S. Brindle, of Blackburn, and Messrs. Thomas Hinchliffe, of Leeds, Henry Graham and Robert Sanderson, of Blackburn. The choruses were splendidly rendered by the members of the Blackburn Choral Society. At each service, the Rev. A. France, minister of the chapel, delivered an appropriate lecture. Mr. Henry Smart, of London, late of Blackburn, presided at the organ, and will do so again on Sunday morning and evening next."

We expect a detailed account of this new instrument from a correspondent.

FOREIGN.

PARIS.—(From our own Correspondent).—The Grand Opéra re-opens on the 15th. The performance will be free to the public, and the opera *Robert le Diable*. Besides this, in honour of the Emperor's fête, a cantata will be executed, the music by Queen Hortense, and the words by M. Belmontet. It is said that Mad. Stolz will appear, on the 17th inst., in *La Favorite*. The Théâtre Français closed last week, ostensibly for repairs, and like the Grand Opéra, re-opens on the 15th inst., the public being admitted gratis to the performances, in honour of the Emperor's fête. A few days before the end of the season, M. St. Germain, who had previously played at the Odéon, made a successful début in *Le Dépit Amoureux* and *La Famille Poisson*.—M. Perrin is neglecting no measures which can tend to ensure the success of his new enterprise at the Théâtre-Lyrique. Mad. Ugalde is engaged, and M. and Mad. Meillet-Meyer are retained. As far as possible, M. Perrin is carrying out the agreements entered into by M. Séveste, both with singers and composers. The new opera, written by M. Adolphe Adam for Mad. Marie Cabel, is in rehearsal, and M. Perrin has also sent for the opera of M. J. B. Wekerlin, which is already copied.

M. Boyer, the new manager of the Vaudeville, has engaged Madame Guillemin.—*Les Cœurs d'Or* continues attractive at the Gymnase. M. Couderc's rondo is encored every night.—A one-act trifle, entitled *M. Bannelet*, by MM. Gaston de Montheau and C. Nuitter, has been produced at the Variétés.—The old farce, of *De Dîner de Madelon*, which dates from 1813, has been revived at the Palais Royal, for M. Prosper Gothi.—At the Ambigu, we have a new drama, in six acts, by MM. Brisebarre and Nus, entitled *Suzanne*. There is also here a troupe of Danish dancers. M. de Chassériaux, who has been appointed administrator at the Grand Opéra, entered upon his office a few days since.

M. Martin Norblin, formerly professor at the Imperial Conservatory, and first violoncello at the Grand Opéra, and the

Société des Concerts, and who often shared in the successes of the well-known Baillet, has just died, at the age of seventy-two. M. Armand Dancla, one of his pupils, pronounced a short address over his grave.

MILAN, 28th July, 1854.—(From our own Correspondent).—*Elisabetta ; or, the Exiles of Siberia*, the posthumous opera of Donizetti, completed by the maestro U. Fontana, was produced for the first time in this city on the 23rd current at the Teatro Santa Radegonda. The parts were thus distributed:—Elisabetta, Signora A. Fumagalli; the Count (tenor), Signor Sarti; Michele (barytone), Signor Marra; Ivan (bass), Signor Vinals. The result has been unfortunate both as regards the music and the execution. Of the former, I shall not trouble you with a detailed account, as I perceive that you have already noticed it. The latter scarcely reached mediocrity. The inundation scene at the end of the second act was exceedingly well done. Its inventor, Signor Donghi, was called for and warmly applauded. Signor Sarti was also well received in a tenor air.

29th, 11:30 P.M.—I have just returned from the first representation of a new *opera seria* in four parts, *Ida di Danimarca*, the music by Signor Luigi Rieschi, the *libretto* by Signor Carlito Bassi. Signor Rieschi is advanced in life, and has resided many years in Milan. This, I believe, his third opera, will add but little to his reputation as a composer. A short and unmeaning prelude of about a minute's duration constitutes the introduction; this, the following chorus, and the solo of the barytone, gave an unfavourable augury of what was to follow. Some of the soli of the *prima donna*, and the tenor, were better, and obtained several calls for the *maestro*, which, to be impartial, however, were chiefly the work of friends. A chorus in the third act was mere confusion. The accompaniments display little skill, and are noisy and common-place. In fact, as the phrase is here, "Canto spiegato non c'è!" The scene is laid in Denmark, at the beginning of the sixteenth century. The principal characters were thus cast:—Gustavo Jutland, Signor Vincenzo Pratico (barytone); Ida, Signora Eufrosina Marcolini; Olvardo, Sire di Nordenberg, Signor Atanasio Pozzolini (tenor). The general execution was indifferent.

BERLIN.—(From our own Correspondent).—The King of Prussia has given M. Meyerbeer permission to wear the Bavarian order for Science and Art, which was awarded him by the King of Bavaria.

The concerts in the Park-Theater in the Wilhelm-Stadt are very well attended, as are, also, those of the various military bands, which were nearly becoming obsolete, but are now more in vogue than ever. One took place last week for the benefit of the Elizabeth-Kinder-Hospital, which must have realised a considerable sum for the institution.

Herr Thorné, manager of the theatre at Riga, is here, making engagements. Herr Leo, from Rostock, and Herr Hein, from Stettin, are also here for the same purpose.

MAYENCE.—A musical festival will be got up at the end of the present month by the *Liedertafel*, at which Schneider's *Weltgericht* is to be performed. The *Gesangvereins* of the neighbouring towns of Darmstadt, Frankfort, Mannheim, Offenbach, Wiesbaden, and Worms, have received invitations.

MANNHEIM.—Never, perhaps, has Mannheim been so rich in "stars" as at the present moment. No sooner has one gone than another appears. After Fräulein Wildauer and Herr Ander, who played in *Die Regimentsstochter*, *Figaro's Hochzeit*, *Robert der Teufel*, *Martha*, *Wilhelm Tell*, and *Lucia di Lammermoor*, we had M. Roger, the Frenchman, who was received with flattering marks of approbation as George Brown in *Die Weisse Frau* (*La Dame Blanche*).

AIX-LA-CHAPELLE.—The Royal Prussian *Kammersängerin*, Fräulein Pauline Marx, has been very successful as Norma, Antonina, and Indra. Among other celebrities we have here Fräulein Johanna Wagner, and Mad. von Strudot-Mende, who made her début as Fidelio, and gave general satisfaction.

PINEROLA.—Verdi's *Trovatore* opened the season with success. The singers were Signore Adele Rebusini and Dalla Porta, and Signori Temistocle Misericordi, Antonio Grandi and Maymò.

PADUA.—Donizetti's *Don Sebastiano* continues to be received with increasing favour.

COLOGNE.—The state of Herr Robert Schumann's health is such as to preclude all hopes of his recovery.

ELBERFELD.—The well-known organist, Herr J. A. van Eyken, pupil of Mendelssohn (poor Mendelssohn!) and J. Schneider, has been appointed to the situation at the *Reformierte Kirche*, vacant by the death of Herr Schornstein, who held it for forty years. On the 21st of April, Herr Van Eyken gave his farewell concert at Rotterdam, on which occasion he played several compositions by Bach, Schumann, and Mendelssohn, as well as some of his own, before an audience of more than a thousand persons.

GENOVA.—At the Teatro Apollo, *I Due Foscari* of Verdi, by Signora Louisa Luxoro Pretti, Signori Stecchi and Giannini, has given general satisfaction. The sisters Farni have been playing with great success.

UDINE.—The theatre has been opened for the annual fair with Verdi's *Trovatore*, by Signore Piccolomini and Irene Secci-Corsi, Signori C. Baucardi, F. Cresci, and Pons.

TURIN.—Teatro Gerbino. *Il Don Procopio* has been produced with tolerable success, the artists being Signora Lipparini, Signori Banti, Bonofos and Frizzi.

LIVORNO.—The Teatro dei Floridi has opened with *Cenerentola*, by Signora Borghi-Mamo, and Signori Testa, Everardi, and Mattioli. The *prima donna* and the barytone Everardi are great favourites. *Lucrezia Borgia* was produced on the 23rd with success. Signore Basseggi and Borghi Namo, and the Signor C. Negrini, were the singers.

FORLÌ.—The new opera, *Luisa de la Vallière*, by Sig. Petrocini, (which was performed for the first time two years ago at Venice), has been produced with success. The artists were Signora Maria Arigotti, Signori Stefani and Coliva.

VICENZA.—The season of the fair has been inaugurated with *Rigoletto*:—Gilda, Signora Lotti; Maddalena, Signora Ghini; the Duke, Sig. Galvani; Rigoletto, Sig. Bencicich. The execution gave great satisfaction.

SINIGALLIA.—Verdi's *Trovatore* opened the season of the fair, with success. Leonora, Signora Gariboldi Bassi; Azneena, Signora Borghi Vietti; and the Signori Carrion, De-Bassini, and Nicolo Benedetti.

TURIN.—A new sort of spectacle is announced for the coming spring, to take place at the Theatre d'Annesse. It is styled an *Opera Napoletana*, and is a species of Marionette performance, the actors being, however, living personages. At Naples the adventures and tribulations of *Puncinello* have ever been an inexhaustible source of merriment and enjoyment, and it remains to be seen what success he will obtain in other parts of Italy. The operas produced will be—*Elena Tolosa*, *Le Precauzioni*, *Le Miniere di Freimberg*, *Don Checco*, *Gli Zingari*, and *Il Ritorno di Puncinello*.

ODESSA.—The success of Verdi's *Il Trovatore* has been very great. The execution on the first night was so good, that there were no fewer than twelve recalls during the performance.

GENOA.—A new *opera buffa* will be produced at the Carlo Felice during the ensuing carnival, by Sig. Chiaromonte, as soon as he has concluded his engagement at Milan.

FLORENCE.—The opera *Il Columella*, by Signor Fioravanti, has been produced at the *Arena Goldoire*, the principal singers being Sig. Stalla Bermati, Signori Ferri, Cavalieri, and Bartolini. The execution was far from being perfect. At the *Cocomero* Donizetti's *Lucrezia Borgia* will shortly be produced with Sig. Bonaini and Pierfederici and Signori Biundi, Corte and Mitrovitch.

LEGHORN.—*Lucrezia Borgia* has been played at the Theatre de' Floridi, by Signore Basseggi and Borghi-Mamo, Signori Negrini and Anconi. The tenor Negrini is described as having done wonders in the duet, and in the final air; but we can scarcely believe it. The enthusiasm of the Italian papers for such singing as Negrini, proves that they have forgotten what good singing is.

BRUNSWICK.—The sixth *Liederfest* of the *Elmsängerbund* was celebrated on the 15th and 16th of July, by twenty-eight *Vereins*, numbering about one thousand singers from the various towns. Three prizes were offered for the three best *Vereins*. Herren Carl Zöllner, from Leipzig; Jul. Otto, from Dresden; Tschirch, from Gera; Franz Abt, from Hanover; and Mühlbrecht, Brunswick, were the judges. Twenty *Vereins*, or societies, entered the lists. The first prize was carried off by the *Neue Liedertafel*, from Hanover, for the execution of Herr Zöllner's quartet, "Hait." The prize consisted of a large silver vase. The second and third prizes were awarded respectively to Stendat and Offleben. A vocal and instrumental concert was given on the second day in the *Egidienkirche*. The programme included Weber's *Jubel-Ouverture*, the overture to the *Zauberflöte*, the C major *Kapelle* of Kreutzer, Mozart's *Bundeslied*, Marschner's *Liederfreicheit*, Abt's *Weihgesang*, the 100th Psalm of Mühlbrecht, and a Hymn, after the 67th Psalm, by Herr Julius Otto.

DANTZIG.—Herr von Flotow's *Indra* is in active preparation.

SOOLBAD NAUHEIM.—A concert has been given in the *Conversationshaus*, at which M. Roger was the chief attraction. The other artists were Fräulein Sophie Förster and the young violinist Herr Mascheck.

HAMBURGH.—Verdi's *Nabuccodonosar* has been repeated, with Mad. Schreiber-Kirchberger, instead of Mad. Hermann Cillag, as Abigail. She was very successful.

EISLEBEN.—Herr F. Kühmstedt's oratorio, *Die Verklärung des Herrn*, will be performed, at the end of the year, under the direction of Herr F. G. Klauer.

WEINIGERODE.—The *Gesangverein für geistliche Musik*, under the direction of Herr Trautmann, organist, have lately executed Händel's oratorio of *Samson*.

STUTTGART.—Herr von Lindpainter has returned from the Festival at Rotterdam. On his first re-appearance in the orchestra, for the purpose of conducting the performance of *Don Juan*, he was received with the greatest applause.

SIENNA.—Verdi's *I Lombardi* has been played here to good houses, and with a fair amount of success. The tenor part is filled by Signor Massimiliani, who has made considerable progress since he was here last year. Signor Crivelli has an excellent barytone voice, and, in the part of Pagano, both sang and acted admirably, being recalled several times during the progress of the opera. The *prima donna*, Signora Prezzolini, is a *débutante*, and acquitted herself most creditably.

NEW YORK.—Our correspondence cannot be expected to be overabundant in news, since the city is now almost deserted, and no one goes to the theatres unless compelled. All the world has emigrated; and the Italian operatic company, under Mr. Maretzek's management, would do well to follow the example of its patrons. The present company is not at all calculated to draw, even were the city full, and you may easily imagine what must be its desolate appearance under the circumstances. The new tenor, Sig. Beraldi, has a tolerable voice, but is a very poor actor. The baritone, Sig. Graziani, is a better actor, and has a fine voice, which he uses to advantage. He is the favourite of the troupe. Signora Gomez, the *prima donna*, has little voice, and does not excel as a vocalist; while the *contralto*, Signora d'Ormy, has a certain degree of energy which makes up for her defect as a singer. Verdi's *Luisa Miller* is in rehearsal. At Niblo's, Madame Anne Thillon has been singing with her accustomed success, in English opera. Dibdin's operetta of *The Waterman* has also been performed, with Mr. Fraser in the part of Tom Tug.

At BOSTON, the Händel and Haydn Society has made a good move in the establishment of a solo school, to which members are to be admitted gratuitously—the only condition being that they shall give their services when called upon. Non-members will be admitted on payment of three pounds quarterly. The class already numbers twenty-five, and will, no doubt, help to carry out the objects of the society. The credit of the whole scheme is due to Mr. J. L. Fairbanks, president of the society. This city has a decided leaning to music of a serious character. There are three choral societies here, all in a flourishing condition—namely, The Händel and Haydn, The Musical Education, and The Mendelssohn Choral. The new theatre and opera house is fast approaching completion. Rumour is already busy about the engagements: Miss Louisa Pyne is said to have been secured as *prima donna*; and there is a report of a treaty as possible with Mr. Sims Reeves. Some of our friends seem to know all about it, and look very wise and shake their heads. All we know, however, we have said, and there's an end of the matter. It is said that Miss Catharine Hayes has netted no less a sum than a million of dollars by her transatlantic tour. How far this may be true we have no means of knowing, but it may be regarded as certain that the Irish nightingale has made something very considerable. We have seen the Peruvian and Chilean papers, which are in raptures. The theatres, they tell us, are too small to hold the crowds which assemble at the doors, in the hope of gaining admission.

HEAVENLY HARMONY.—It is said that when Dr. Franklin invented the Harmonium, he concealed it from his wife until the instrument was fit to play, and then woke her with it one night, when she took it for the music of angels (!)

TO CORRESPONDENTS.

L. M.—*The government of the American Musical Fund Society, an institution in many respects similar to our Royal Society of Musicians, is vested in a president, two vice-presidents, and twelve directors. At the last general meeting (our authority is the New York Musical Review and Choral Advocate) the following officers were elected:—President, GEN. W. HALL; vice-presidents, H. C. WATSON and LOUIS ERNST; Treasurer, H. B. DODWORTH; Secretary, J. C. SCHERPF. We believe the appointments are annual, and that the present government of the American Musical Fund Society is valid up to April, 1855.*

AN OPERA-GOER.—*It is probable that Boieldieu's La Dame Blanche has been played oftener than any known opera. On its recent revival at the Opéra-Comique, it was performed for the 774th time, in Paris alone. Its popularity in the provinces of France and throughout the whole of Germany, has been equally remarkable.*

C. W.—*Mr. BENEDICT has conducted the Norwich Festival at the last two meetings. His predecessor was Professor EDWARD TAYLOR, of Gresham College. Mr. BALFE conducted at one of the festivals. About Dr. SPOHR, although his oratorios have all been given there first, we are not sure. At the last festival, in 1852, two new oratorios were given—the late Dr. BEXFIELD'S Israel Restored, and Mr. PEIRSON'S Jerusalem. Mr. PEIRSON was appointed to the Edinburgh Professorship of Music, instituted by the late Dr. REID (whose bequest has been most shamefully misappropriated by the professors of law and medicine) in 1844, when Mr. STERNDALE BENNETT, another candidate, withdrew. Mr. PEIRSON, however, resigned shortly after, and was succeeded by Mr. DONALDSON, Mr. BENNETT'S opponent. We understand that Mr. DONALDSON is a very good lecturer on acoustics, and on mechanics, as applied to musical instruments. Sir HENRY BISHOP'S resignation of the musical chair led to the contests in which the above-named gentlemen were engaged. MENDELSSOHN'S Elijah was first introduced at the Norwich Festival by Mr. BENEDICT. St. Paul was never given while Professor TAYLOR was director. We are unable to answer the other questions of our correspondent; but the recent proceedings in the House of Lords may throw some light upon the first.*

M. GUSTAVE OFFELET (Rue de Malines, Brussels).—*Our Correspondent's communication is an advertisement. The charge of its insertion would be twenty-five francs.*

MARRIED.

ON Tuesday morning, the 31st ult., by civil contract, H. W. Ernst to Siona Lévy.

On Tuesday, at Kensington Church, Brinley Richards, Esq., to Miss Banting, of the Terrace, Kensington.

DIED.

AT Nice, on the 26th July, in the 67th year of her age, Mary Sabilla, the wife of Vincent Novello, Esq. An accomplished woman, a loving wife, an unfailing friend, and an affectionate mother—the testimony of a forty years' witness of her wise conduct.

THE MUSICAL WORLD.

LONDON, SATURDAY, AUGUST 5TH, 1854.

If the Philharmonic Societies, Old and New, have left the art, so far as their special influence is concerned, just where it stood this time last year, the Sacred Harmonic Society has done little better. We are quite aware that a new oratorio is not to be expected every year, and that a vast deal of time, pains, and expense, is necessarily involved in any attempt at bringing forward a work of such magnitude and importance. We are, also, ready to admit that every new oratorio is not necessarily good, and that such inspirations as *Elijah* appear, at the most, once or twice in a century. But we cannot discern the wisdom of that law, or rather rule of

custom, which, up to the last year, in one particular department, has guided the policy of the Sacred Harmonic Society, and which altogether ignores the production of original compositions as a duty. Although a society of amateurs, this body arrogates to itself the position of the first musical institution in Europe; but how does it maintain its right to such a distinction? What has it effected, in the whole course of its career, for the high order of music it assumes to represent? Its deeds may be summed up briefly. The Sacred Harmonic Society has familiarised a certain class of the public with three or four of Handel's oratorios, with the *Creation* of Haydn, and with Mendelssohn's *Elijah*. These have been given very often, and often very well; and the frequent performance of such grand and true works has undoubtedly done much to elevate and purify the musical taste of the masses. But that said, all is said. Oratorios which, like the *Messiah* and *Elijah*, are the most directly profitable, have been the most perseveringly adhered to; while those which, like *Israel in Egypt* and *St. Paul*, are less certain to fill the exchequer, *ad captandum*, have been comparatively neglected—although, in the instances named, *Israel* is quite equal to the *Messiah*, and *St. Paul* very nearly equal to *Elijah*. It is, therefore, less a love of art, than a love of position—position to be won and maintained at a small risk—that has influenced the members of the Sacred Harmonic Society in the main. We are not blind to the fact that to some more spirited among them the public are indebted for Mendelssohn's *Lobgesang*, Mozart's *Requiem*, Beethoven's Mass in D, &c. But these are exceptions to the rule, and had not the *Requiem*, which proved unexpectedly attractive, been too short to form a concert of itself, while the *Lobgesang* was just long enough to fill up the vacant time, it is more than probable that the last would have been shelved *in perpetuo*. No one endowed with ears and some musical knowledge can fail to have remarked that the performance of the *Lobgesang* was on every occasion as unsatisfactory as that of the *Requiem* was the contrary; and why?—simply because the latter was the source whence the pounds and shillings were most likely to flow at once into the treasury, and Number One being the prime consideration with the Sacred Harmonic Society, the *Requiem* was better cared for than the *Lobgesang*. Yet the members are for the most part Church of England protestants, or protestant dissenters—in short, Exeter Hall people, *pure sang*.

The Sacred Harmonic Society has no faith in great works for themselves; it does not believe that what is absolutely good will inevitably make its way; and that the public, however at first apathetic, must eventually awaken to a true sense of the beautiful in things that are endowed with immortal beauty. The unanimous outcry has been that *St. Paul* and *Israel in Egypt* "do not pay," and that, whenever they are performed, a certain loss to the treasury ensues. Thus we have no end of repetitions of the *Messiah*, *Elijah*, and the *Creation*, which are presented so constantly that they run the chance of palling on the ear by too close and every-day familiarity, if not that of being evaded like the reiterated and unwelcome applications of a dun. It is all very well at the great provincial gatherings to give one or all of these masterpieces at every festival, since the majority of the audience assembled at such meetings only enjoy the advantage of hearing them executed on so grand a scale *once in three years*. But, in London, the system cannot possibly last, since not only at the Sacred Harmonic Society, but at the London Sacred Harmonic Society, at the Harmonic Union,

and at Mr. Hullah's concerts in St. Martin's Hall, the same three oratorios, being stock pieces, are repeatedly performed in the course of the winter and spring. If the Sacred Harmonic Society would maintain its rank, it must legislate not merely for the present but the future. It exists on public support, and should be governed as a public society, not as a close borough ; but as matters are conducted, it runs an excellent chance of degenerating into a private association, maintained for the sole advantage of a congregation of religious persons, who, caring very little for music abstractedly, and objecting to theatres and opera-houses, are not sorry to vary the monotony of their domiciles by attending a certain number of performances every year of a chosen lot of special oratorios. On the other hand, a great majority of the amateurs and members, who can neither play nor sing very well, and do not like to be forced to attend more rehearsals than necessary, would by no means object to this, their reason for belonging to the Society being less to "produce with the utmost care and splendour works of established excellence," than to display their own petty acquirements, for their own personal gratification in the band or chorus. Poor and vain egotism ! Such influences and considerations are wholly inconsistent with the acknowledged purpose of the Sacred Harmonic Society, which aspires to a high place, if not the highest place, among our musical institutions, and must do something to establish its claims, or gradually sink into the insignificance of a half-musical, half-methodistical coterie.

In 1848, the Society awoke from a long lethargy, and threw off its allegiance to Mr. Surman, who, if we may believe certain of its members, had been to the Society, for a series of years, what the Old Man of the Sea was to Sindbad the Sailor. Mr. Costa was appointed in his place ; and this bold step was hailed by more than half the members as the advent of a new era. Mr. Costa was to "conduct" them to the land of promise, and the true millennium was at hand. Some said, at the time, that King Log had been got rid of, only that King Stork might reign in his place ; but their words were unheeded. Mr. Costa assumed absolute dominion. Every one came to rehearsal ; the chorus and band were weeded of a few (not all, or nearly all) of those utterly incompetent amateurs who were only instrumental in damaging the general effect by their worse than useless co-operation. The performances began to improve ; the sky brightened, and a great glory hung on the horizon, the harbinger of a splendid future for the Sacred Harmonic Society. So far well ; but it did not last long.

That the influence of the Autocrat of all the Orchestras has been extremely beneficial, up to a certain point, to the Exeter Hall performances, is unquestionable. But, as at the Philharmonic Concerts, a great stride was made in a short time, and then—"halt" was the order of the day. We have heard almost as unsatisfactory performances, even of so familiar an oratorio as *Elijah*, under Mr. Costa's direction, as we ever heard under that of his predecessor, with whom, of course, we do not think of comparing him. Either Mr. Costa has not the power, or not the will, to go on progressing. If he has the first he has not the last, and, if the last, not the first. We admire his habits of discipline, but we should prefer to see them exerted with greater regularity and persistence. The *ultima Thule* of a conductor's aspirations is surely not to get rehearsals over as soon as possible, or to do without them altogether. These, however, are both parts of Mr. Costa's system, and hence his popularity with the gentlemen of the orchestra. It is notorious that the oratorio of *Elijah* is given, year after year, without a rehearsal. The

first performance, therefore, serves as a rehearsal for the others, and is, consequently, for the most part slovenly and inefficient. This was painfully manifest in the course of the present season. As Mr. Costa has abolished the custom of issuing directors' tickets for the rehearsals of the Philharmonic Concerts, he should, to be consistent, allow no one except the Committee of the Sacred Harmonic Society to be present at the first performance of *Elijah*, which is now invariably neither more nor less than a public rehearsal. The suggestion seems to convey an anomaly ; but, according to Mr. Costa's method of producing certain oratorios, it would not be inconsistent to act upon it.

The "fact" of the season just expired, was the praiseworthy attempt to execute Beethoven's impossible Mass in D. As, however, the Sacred Harmonic Society, even with Mr. Costa to back it, cannot do impossibilities, it is not to its discredit to say that the work was very imperfectly given, and that in some places the effect was simply chaotic. In this instance, nevertheless, the will may be fairly taken for the deed, although, at the same time, it must be admitted that the respectable proverb, "Where there is a will there is a way," was upset—since, while the will was manifest, the way was not found. Another "fact" was the production, at the fag-end of the season, of Mr. Griesbach's new oratorio—or rather old oratorio, *Belshazzar's Feast*, under the new name of *Daniel*. This was the first original work ever given by the Sacred Harmonic Society, and therefore marks an important epoch in the progress of the institution. Whether the mark will be recognised hereafter as a white mark, or as a black one, we leave others to decide. We may fairly question, however, the policy of the committee in selecting a composition of such indifferent merit, and its liberality in allowing the author to pay all expenses incurred by the performance. As an avowed entertainment for Mr. Griesbach's personal friends and admirers, the performance of *Daniel* would have been quite legitimate, and there would have been nothing to call for reprobation ; but, since it was brought before the public under the name and sanction of the Sacred Harmonic Society, the directors of that Society are responsible for the consequences. What those may be time will shew. Meanwhile it is not too much to say that the confidence of the public in the judgment of those entrusted with the management has been shaken, if not annulled ; and that a blow has been struck at the reputation of the Sacred Harmonic Society, from which it will take years of good deeds to recover. The "nearly 700," and the "16 double-basses," look all very well in the advertising columns of the newspapers ; but some really first-rate performances, some spirit and diligence in the search for novelty, and a wiser policy in general, would be more likely to advance the interests of the Society. Until *Israel in Egypt* is performed as correctly as the *Messiah*, and *St. Paul* with as much vigour and decision as the *Creation*—until the scores of Handel and Mozart are more ceremoniously respected, and the band and chorus become strengthened by the absence of certain inefficient performers—until Exeter Hall points the way instead of following on the heels of Birmingham and Norwich, and the next new oratorio of a great composer is introduced by the metropolis to the provinces instead of *vice versa*—until these and many other desirable, nay indispensable, changes (the improvement of the organ, among the rest) are accomplished, the Sacred Harmonic Society may continue to style itself "the greatest musical institution in Europe," but its right to that title will daily obtain less credit.

THE "glorious uncertainty of the law" was never made more manifest than by the foreign copyright case, which, now as "*Boosey v. Jefferys*," now as "*Jefferys v. Boosey*," now as an "action for infringement," now as a "writ of error," has so long occupied the courts and mystified the public. If—
as some great diplomatist was said to have said—"Language is given to conceal our thoughts," with much greater show of truth may it be asserted, that law is given to hide the distinction between *meum* and *tuum*. Here we have a case in point. Boosey, a music-publisher, purchased of Ricordi, another music-publisher, as far back as 1831, the score of an opera by Bellini, a composer, which Bellini had previously sold to Ricordi. Bellini wrote the music; it was therefore clearly his own property, and, being his own property, he had a right to sell it. No one will dispute that fact. Bellini, having a right to sell it, did sell it to Ricordi, who paid the price of it with his own money. The opera then became Ricordi's, according to the laws and customs of barter which have obtained so far back as history has peered into the doings of men and the condition of the world. No one will deny that, having bought and paid for it, the opera was now Ricordi's. Being Ricordi's, then, Ricordi had the same right to sell it, which Bellini had when it was Bellini's. Ricordi, having a right to sell it, did sell it to Boosey, who paid the price of it with his own money. The opera, now, in equity and in logic, would seem to have been Boosey's, and so Boosey must have thought, until some time after another music-seller, Jefferys, who had not bought or paid for the opera, or any part of it, published a song from it. Boosey, who had bought and paid for the opera, denied the right of Jefferys to appropriate any part of it to his own uses. Jefferys replied that Boosey had no property in the opera, although Boosey had bought and paid for it with his own money of Ricordi, who had himself bought it of the composer under similar circumstances. The case being of such a complicated nature, recourse was had to law.

Now supposing that instead of being an opera the article purchased by Ricordi of Bellini, and then by Boosey of Ricordi, had been a snuff-box set in diamonds; in that case will any one assert that Jefferys had a right to take one of the diamonds to himself, or to take the snuff-box and diamonds to himself, or to hold a joint property with Boosey, who had bought it and paid for it with his own money, either in a part or the whole of it? Assuredly no one of sane mind and sound body.

But this is only a common-sense view of the subject—a natural, nay, a bucolic view, which, in the golden age, would have passed muster. The conclusion at which we have arrived is true in reason and in equity—but not in law and Chancery. Common sense is one thing, common law another; and the world is very different since law has been invented to upset a whole library of self-evident truths.

Examine the logic of the case. "Legislatures"—says the versatile Lord Brougham, who cannot sell his books in the United States—"in general only legislate for their own subjects." (Why "*in general?*") The law does not enact that a foreigner can have a monopoly in this country, and therefore an English-born subject may be deprived of his own by another English subject. This is neither more nor less than an absurdity; but we have the authority of the Lord Chancellor for the fact that no law can exist, from the application of which, under peculiar circumstances, an absurdity may not "flow;" and here we have a famous illustration of the inference of that learned functionary.

We have not time at present to discuss the subject in

extenso; but we intend to do so in our next, so well as we are able. Meanwhile, beneath we append two out of many letters that have been forwarded to us, both of which present facts and arguments worthy consideration even from the Woolsack.

FOREIGN AUTHOR'S COPYRIGHT.

To the Editor of the Musical World.

SIR,—The long-fought question, whether a foreign author is entitled to a copyright in England, is at last decided. The House of Lords has ordained that an alien who presents himself in England on the day of the publication will be protected; but if he forwards it by an agent to his publisher, he may be robbed of it. There can be no doubt that the law is thus construed for the purpose of forcing America to conclude an international treaty with this country. It may be for the advantage of our authors to compel the United States to take such a step in self-defence, but the injustice of the decision which deprives a large mass of persons of their property fairly acquired, under the sanction of the legislature, is so great that it deserves the fullest exposure.

The United States Government, however illiberal we may think it to our authors, is at all events equitable. The law in America is clearly defined. If an individual resides in the States for three years, he is entitled to hold property ever after. How totally different has been the administration of justice in this country! For twenty years it has been disputed whether a foreigner can hold a copyright here. The question has been before all the judges, and the decision, in every court but one, has been in favour of the foreigner's claim. Publishers of American books, and European music, have invested large sums in the purchase of copyrights, in consequence of the encouragement received from the exponents of the law, and now, after two or three generations of judges have sifted the point, and enormous sums have been spent in trying the question, the House of Lords, by an *ad captandum* opinion, destroys the property created by the decisions of the judges of the land, and only for the purpose of serving the Americans and hastening the conclusion of a treaty which is in negotiation. Whichever reading of the law may be correct it is impossible to determine, and whichever policy it may be the fairer to pursue I do not pretend to discuss. But I do maintain that this mode of twisting the meaning of vague old Acts of Parliament for different purposes at different times, to the injury of individuals, is degrading to the country. The Act of Parliament lately under discussion was passed in the reign of Queen Anne. If this Act was not intended to include foreigners in its operation, why was it not so stated in the case of D'Almaine and Boosey, twenty years ago, when the very point in question was argued. Boosey lost his case then because the Judge decided that a foreigner was entitled to a copyright if he sent his composition over here to be published first; and now Boosey has lost his case again (and his property into the bargain) because the Lords have ruled that a foreigner cannot possess a copyright in a work unless he brings it to London himself! Unfortunate! Why did he confide in Judges, and buy operas and defend them in actions on the strength of ten or twelve of the highest judicial opinions? The decision of the House of Lords may possibly be again reversed some day, and I should, therefore, recommend music publishers not to purchase even a polka, for the future, unless they can obtain a special Act of Parliament for investing the copyright in their families.

Yours obediently,

A. PROFESSOR OF MUSIC.

To the Editor of the Musical World.

SIR,—The decision of the House of Lords in this case seems so opposed to the natural principles of equity, if I may use such an expression, and is likely to prove so mischievous in its results, that I crave a few moments of your time to state some of the reflections it has awakened in me.

It seems to me that music must be considered a sort of universal language, spoken and understood in all countries, but only

comparatively by a few in each. Consequently, a composer does not address himself to his own countrymen alone, but to all who understand and practise musical art.

Now if the principle is to hold good that a musical author has no interest in the works of his own brain beyond the frontiers of his own country, Lombardy, Sicily, Parma, or wherever it may be, it is in practice very much like declaring that no English author of literary works should be able to derive anything from the copyright of them out of the county where he lives, and that Mr. Dickens, living in London, would have no remedy in the case of a reprint of his works at Manchester or Glasgow without his knowledge, consent, or having any interest therein.

The distinction between "alien foreigners" and English composers may be according to law, but it must be remembered in fact, that, although this country is the great seat of musical taste, and the place where music is most widely spread and pursued, musical compositions have for the most part come from abroad, and that the very foundation of music lies in the productions of Mozart, Beethoven, and a long list of "alien foreigners." Among other "alien foreigners," Mendelssohn composed and wrote principally with a view to publication in England; English encouragement was the stimulus which led to the composition of his greatest works, those which have exercised the greatest influence in elevating musical taste in this country; and the full carrying out of the doctrine of the House of Lords would drive foreign composers to gain their livelihood by teaching the piano at Cassel or Darmstadt, and deprive them of the very small return they, at this time, get for the delight and instruction they confer on the English public.

I do not mean to question the decision of the House of Lords on the law of the case; but I do mean to say that the law is inconsistent with our present enlightened views and general system of legislation; and I trust that some means will be taken by legislative enactment to remedy this state of things; and thus out of the evil of the present decision will be worked a permanent good.

Begging your pardon for the length of these remarks.

I remain, Sir,
Your most obedient servant,

London, August 4th, 1854. AN ENGLISH MUSICIAN.
I enclose my card for your private satisfaction.

JEFFERYS VERSUS BOOSEY.—A meeting of the principal music publishers took place on Thursday, at Messrs. Boosey and Sons, for the purpose of considering some points connected with the new position in which the decision of the House of Lords, in the case of Jefferys *versus* Boosey, has placed proprietors of copyrights.

M. BLUMENTHAL has left London for the continent.

HERR REICHARDT has gone to Boulogne for a few weeks, and will return to England in September for the Norwich festival.

LONDON SACRED HARMONIC SOCIETY.—This Society held its annual meeting at Exeter Hall, on Monday evening, the chair being taken by one of the vice-presidents, the Rev. O. F. Owen. There was a numerous attendance of members. The chairman was supported by the Rev. J. Hatch and the other members of the committee, and the report was read by the honorary secretary, C. J. Waggon, Esq. From this it appeared that six concerts had been given by the Society during the past season, and that, notwithstanding the numerous musical entertainments, sacred and secular, which had been given at Exeter Hall, its current expenses had been more than defrayed by subscriptions and sale of tickets. One of the fundamental rules of the society was the encouragement of native talent, and this had been carried out by the engagement of English singers for the principal parts in the various oratorios. A vote of thanks was moved by Mr. Williams, and carried by the members, to Mr. Surman, conductor of the society, who had for so many years directed the performance of oratorios at Exeter Hall. Mr. Williams alluded to the punctuality Mr. Surman had always displayed in his attendance both at rehearsals and public performances, and of the advantage accruing to the Society from that gentleman's position at the head of the musical arrangements. It is reported that the members intend to present Mr. Surman with a testimonial on the opening night of next season, and that £100 has already been subscribed for that purpose. The usual votes of thanks were passed to the president and other officers, and to the Rev. O. F. Owen, chairman.

REVIEWS.

"MINUETTO ESPRESSIVO," For the Pianoforte. Composed and dedicated to J. Turner Hopwood, Esq., by W. Sterndale Bennett. Leader and Cocks; Addison and Hollier.

MR. STERNDALE BENNETT writes so seldom now that he may almost be said to be lost to the arts as a composer; but he writes so well that the smallest contribution from his pen is a gain; and thus the balance on either side is equal. The little piece before us, entitled *Minuetto Expressivo*, is a gem of melody brightly set in harmony. The first theme, in E flat, is tranquil and lovely, and steals upon the ear in a manner unassuming and irresistible—as it were, a modest and retiring maiden, whose beauty is all the more winning from the chariness with which it is disclosed. The second theme, or trio, in C minor, is bold and energetic, and contrasts well with its more gentle sister. The return to the first subject is managed with great felicity; and the *coda*, though brief and unpretending, displays some charming points of harmony. We need not recommend this *Minuetto Expressivo*, which will make its way by the force of its own unaided eloquence.

"SECOND IMPROMPTU" for the pianoforte, composed and dedicated to Miss Kenyon. By Charles Edward Horsley. J. J. Ewer and Co.

In spite of its strong Mendelssohnian colouring, the *impromptu* (a singular name to give to a carefully finished piece) will recommend itself to musicians and cultivated amateurs. It is energetically written, and very effective for the pianoforte. The first theme, in E flat, will suggest the opening of Beethoven's *Circle of Songs* (as it has been called) in the same key, although there is no plagiarism. In page 3 (line 2, bars 1-2) the ascent by the bass to A flat, accompanied by the harmony of the dominant of C minor, discloses a daring and somewhat harsh employment of the minor ninth, inverted—to which we should not object, but for the harmony which precedes it—the sixth on G, in the key of B flat, with A natural and G in the melody. There is also a harsh point in the last bar of the next line, which we cannot defend on any grounds; the shock between the C's natural, in the treble, and the C sharp, in the bass, being terrible and intolerable. Mr. Horsley must like it, however, since he repeats it thrice; and yet he would have done better, we think, to cut it out altogether. Nor do we relish the harmony in page 5 (line 2, bar the last) which, to say the best of it, is "cacophonous"! Mr. Horsley will know what we mean. In page 6 (line 6, bars 2-3) the same grating (or "scrambel") inversion of the minor ninth occurs, in another key. With these objections, we have only praise to award to the *Second Impromptu* of Mr. Horsley.

"TEMPI FUTURI POLKA," as performed by Kalozdy's Hungarian Band. Composed by George Lichtenstein.

"THE FIDDLER'S WALTZ," for the Pianoforte, with cornet ad lib. Composed by J. Kalozdy.—Ewer and Co.

A LIVELY and well-written Polka in F, and not like some hundred others—which is saying a good deal more than we can say for nine polkas out of ten. We find, however, no purely musical point that calls for remark, either critical or laudatory.

The "Fiddler's Waltz" is a tuneful set of waltzes with introduction and coda, *a la Strauss*, and a separate part for the cornet-pistons. They are easy to play and effectively arranged.

"ELEGY ON THE TOMB OF FELIX MENDELSSOHN BARTHOLDY."—By Charles Evers. Graue and Co.

A VERY grave and very laboured, but, at the same time, extremely musician-like piece of music. It consists of an introduction *à la fantasia*, and an *allegro moderato*, both in A minor. The *allegro*, without presenting any strong marks of originality, is composed in the accepted classic form, and offers many points of interest to the connoisseur. Though by no means of so lofty a character as Dussek's "Elegy on Prince Ferdinand of Prussia," this composition of Mr. Evers is of a similar order, and bears evidence (without plagiarism) of having

* Modern German Music, Recollections, and Criticisms.

been suggested by that remarkable inspiration. It is in all respects entitled to attention.

"THIRTEEN SCENES OF CHILDHOOD," for the Pianoforte. Composed by Robert Schumann.—Graue and Co.

As examples of the lighter styles of M. Schumann, these little pieces stand out favourably. There is a vein of poetry and a kind of mystic character in all of them; but they are too difficult and too recondite, both in harmony and figures of accompaniment for the use of very young performers, while their extreme brevity renders them unavailable for the purposes of those more advanced and expert. Nevertheless, some charming thoughts are scattered about the thirteen pages in which they are comprised, and although there are many "queer" and many more wholly indefensible points of harmony, there is enough of real musical feeling in these *Scenes of Childhood* to recommend them, if not to children, who would be incapable of understanding them, to adults, and especially professional adults.

LE TRILLE, ETUDE DE CONCERT, pour le Pianoforte. Par Antoine Riedel.—Wessel and Co.

A COMMON-PLACE exercise in the Herz school, without either the grace or the fancy of its inventor.

"THE YOUTH AND THE MAIDEN."—Twelve Lieder ohne Worte for the pianoforte.—Book 1, "The Youth;" Book 2, "The Maiden." Composed by Felix Mendelssohn Bartholdy.—Wessel and Co.

Arrangements, for pianoforte solo, of twelve of Mendelssohn's most charming vocal songs, some of them rivalling in melodious beauty, true expression, rich and genuine harmony, the celebrated *Lieder ohne Worte* themselves. The character of every song, and the figures of the accompaniments, are strictly preserved in these arrangements, which are entitled to unqualified praise. None of the twelve pieces are difficult; most of them are effective, some are brilliant, and all are beautiful. No pianist, amateur or professional, who loves the music of Mendelssohn, should be without them.

HANDEL'S ORATORIOS, "JEPHTHA AND DEBORAH," in vocal score, with a separate accompaniment for the organ or pianoforte, arranged by Vincent Novello. J. Alfred Novello.

We have already so strongly recommended and said so much about the octavo editions of the oratorios edited by Mr. Vincent Novello, that we feel it necessary to say no more on the present occasion than call attention to the new issues—*Jephtha and Deborah*—in which the purchaser will find the same good qualities that were remarked in the works already noticed. When the series is finished, it will amount to more than twenty volumes. It will constitute a small sacred library in itself.

MADAME CABEL leaves London this morning for Paris.

M. VIVIER started yesterday for Baden-Baden, taking Paris in his way. We understand he will return in time for the Norwich Festival, where his performances are calculated to form an agreeable and attractive feature in the evening concerts, where there is ordinarily such a glut of vocal music.

VERDI'S NEW OPERA.—The new work of Sig. Verdi, to be produced at the Paris Grand Opera, in the autumn, is found ed, we hear, on the subject of *King Lear*. The marriage of Shakspeare and Verdi is not new, since it has already been celebrated in *Macbeth*.

HERMÈNST and Madame Ernst have left for Paris. Thence they proceed to Baden-Baden; and thence to Aix, in Savoy, where they intend passing some weeks. They will return to London in the middle of October.

A QUEER PROFESSORSHIP.—An American contemporary says the government of Harvard College are said to be completely nonplussed by a recent bequest of 15,000 dollars, left by a certain sentimental Miss Caroline Plummer, for the endowment of a new professorship on the "Philosophy of the Heart." We wish the wise men of Harvard a happy issue from the perplexity into which Mrs. Plummer has involved them.

SKETCHES OF ENGLISH ARTISTS.

NO. III.

JOHN BRAHAM.

(Concluded from page 499.)

More than four and twenty years ago, Mr. W. T. Parke, a celebrated oboe-player, in a work entitled "Musical Memoirs," thus alludes to the hero of our sketch:—

"Braham has husbanded his vocal power with exceeding care; for, though more than forty years have rolled over him since he first appeared on the stage of Covent Garden Theatre, in 1787, in the character of the Shepherd Joe in *Poor Vulcan*, for the benefit of his master, Leoni, he still maintains the pre-eminence he has long enjoyed, and is entitled to the compliment bestowed on the late celebrated comic actress, Mrs. Mattocks, by the head of the police to Lewis, the stage-manager, on the occasion of their Majesties' visit to the theatre—'That's a clever little woman; she has been on the stage more than forty years to my knowledge, and yet how well she acts! Sir, she's a perfect *pro-gi-dy!*'"

The truth is, that at fifty-four Braham might be said to have been in the zenith of his powers. The cause why singers lose their voices so soon arises either from a want of stamina in the constitution, or from a bad method of vocalizing. Braham's constitution is of iron, and has never been tampered with. Always moderate and careful, from temperament as well as prudential motives, he has never been led into excesses, and at this moment he presents one of the most remarkable instances of age joined to vigour of body and mind in existence. That Braham's method of singing belongs to the best school need, we think, scarcely be advanced; he has too long stood in public estimation as a model for English singers, to render it doubtful. But, independently of the excellence of his style and method, another cause still more important tended to the preservation of his vocal powers. His voice was naturally strong and of such unusual compass, that he was not obliged to overstrain it to produce his greatest effects. How many singers have been prematurely lost by exerting themselves to do more than nature intended them! M. Duprez, the celebrated French tenor, while yet a young man, was put *hors-de-combat* for the stage through his forced and continual endeavours to sing the *ut de poitrine* in *Guillaume Tell* and other operas; and Signor Tamburini, the most accomplished barytone the Italian opera ever boasted of, lost the beauty and power of his voice at the age of forty-six, by striving to roar like Signor Lablache in the "Suoni la tromba" duet in *I Puritani*. Braham had, fortunately, no cause to do violence to nature in any music. The strength and physical conformation of his lungs gave him immense force and sustaining power, and scarcely any note written for the tenor voice was too high for him. In a ballad he introduced into one of his own operas at Drury Lane he has been known to sing to D natural in *alt*, in his chest voice. Braham's voice was truly magnificent. Sonorous and metallic in quality, having the fullness and power of a barytone, it was also of exceeding sweetness. He who remembers the tenderness and pathos infused into some of the Scotch and English ballads must acknowledge how little in the shape of simple singing can be compared to it in the present day. Yet Braham's singing was not always as unaffected and plain as might have been desired. On his first return from Italy he was infected in no small degree with the prevailing mania for florid vocalisation. Even the commonest ballads were overcharged by him with a superabundance of *fioriture*; and he was not yet content with that pure and unforced expression which, in a few years after, became one of the special characteristics of his style. Braham, however, may be forgiven for being seduced into that vitiated taste which only followed the exigencies of the age, and conformed itself to popular requirement. These were the times, it must be remembered, of Mrs. Billington, Madame Mara, Catalani, Tramezzani, David, Rubinelli, and others, all singers of the brilliant and extraordinary kind, who led the public by the nose, and induced composers to write exercises for the voice instead of simple tunes. The audiences of those days were not

always pleased with the unadorned singing of Mrs. Crouch, Mrs. Dickons, or Mrs. Bland. They loved to be surprised rather than delighted, and were not satisfied if their hearts were touched, unless, at the same time, their ears were tickled and their understandings dazzled. Such, at that period, was the state of musical feeling in the popular mind, and to which Braham did not hesitate to subscribe when he came back from the continent. The singer had another motive which tempted him to adopt the prevailing style; his voice was extremely flexible, and no passage was too difficult for him to execute. Most of his early songs and duets indicate his leaning towards the florid school. In all probability at that time he hardly knew where his chief strength lay, and not until he had studied Handel's sacred music did he find out that the grand declamatory style was his forte. In recitative Braham has never been surpassed, and seldom equalled. His delivery of some of Handel's songs, such as "Jephtha's Rash Vow," "Comfort ye, my People," "Every Valley," "Waft her, Angels," "Sound the alarm," and others, was particularly grand, chaste, and impressive. It was the excellence of his vocal elocution in sacred singing which procured for him the designation of the *Siddons* of the Lyric Drama.

Our own earliest impression of Braham dates back as far as 1830, when we heard him for the first time in *Masaniello*. His whole performance struck us as being astonishingly grand and powerful. Braham seemed, indeed, scarcely to act at all, yet so earnest and abstracted did he appear when singing, that we felt no loss in the absence of any histrionic display. Such were our subsequent feelings when we saw Rubini in *I Puritani*. It seemed as if an exhibition of acting would have been but an intrusion, disturbing the intense feeling awakened by his singing. In *Masaniello* we were almost awed at the volume of tone and energy exhibited by Braham in the *morceau* in D flat minor, in the second act, "Uprouse ye, manly hearts," where the Neapolitan fisherman first incites his companions to revolt. Braham's voice sounded like the blast of a trumpet throughout the theatre. We heard the opera for thirteen successive nights with renewed delight, and with increased admiration for the singer.

So great an artist as Braham could hardly have been before the public for more than half a century without producing the most decided influence on his time, and, consequently, all those singers who have aimed at excellence in the declamatory style, have taken him for the model. But, however correct and safe an example Braham offered in his own person, it was by no means an easy task to follow him. The power and largeness of his voice, which rendered his delivery so grand and emphatic, could not be imitated; and without these qualities the singer is precluded from attaining the highest excellence in lyric declamation. Art may effect much to supply the deficiency of voice, but its want must be always seriously felt in vocal elocution. Braham produced a host of servile imitators, many of whom only caricatured his style and manner, but could not catch his beauties or his graces. There existed for many years a Braham-mania among the tenor singers in England. Those who had strong voices bellowed at the top of their lungs and imagined that this constituted them rivals of their great archetypal energy and power. Those, on the other hand, with weak voices copied his expression and feeling, and fancied by so close an imitation that they had made amends for their want of power. Still the model being good, imitation could hardly have failed to originate some beneficial consequences. Braham's fine elocution, his clear and distinct enunciation, his method of producing the notes, the blending the chest with the falsetto voice—one of his most striking merits—his correct judgment, and refined and classic taste, could not be entirely thrown away for so long a period upon the mass of vocalists; and there is no doubt that at the present time his influence prevails largely wherever oratorios and sacred works are performed.

In the year 1812 to so great a height had Braham's popularity risen, that he obtained almost unprecedented salaries at the two patent theatres, as well as at all the concerts and oratorios. He was also growing rich by means of his musical compositions, at which he laboured most assiduously. His music, generally speaking, displays a vein of homely yet graceful melody, well

adapted to please an English audience, which it seems was the highest aim of his ambition. For the copyright of some of his operas he was paid more liberally than any composer who wrote before him, and more than many others who came after him. He received, in 1804, no less than one thousand guineas for the music of *The English Fleet* in 1842. (Many years afterwards he sold his ballad, "The King, God bless him!" for eight hundred pounds, a sum greater than that paid to Rossini for *Il Barbieri di Siviglia*.)

The operatic works composed by Braham, in whole, or in part, were as follows:—*The Cabinet*, *The English Fleet* in 1842, *Out of Place*, *Thirty Thousand*, *Family Quarrels*, *The Paragraph*, *Kais*; or, *Love in the Deserts*, *Americans*, *The Devil's Bridge*, *False Alarms*, *Zuma*, *Navensky*, etc. The most popular of these were *The Cabinet*, *The English Fleet*, and *The Devil's Bridge*, which, until modern taste—whether false or true we shall not discuss in this place—drove the ballad opera almost entirely from the stage, were held in special estimation for many years.

Perhaps no singer ever went through a more extraordinary career than John Braham. From 1806 to 1816 he was engaged nearly every year as *primo tenore* at the Italian Opera, and sang invariably at one of the patent English theatres in the winter. At the Italian Opera he sang with Mrs. Billington, Madame Grassini (aunt of Grisi), Madame Fodor, Signor Naldi, etc., etc. He was the original Sesto when Mozart's *Clemenza di Tito* was brought out at the King's Theatre. He was the original Max in Weber's *Der Freischütz*, when it was produced at the Lyceum; and Weber wrote the music of Sir Huon, in *Oberon*, expressly for him. It was at the suggestion of Braham that Weber wrote the grand scena, "Oh, 'tis a glorious sight to see," which, nevertheless, is far from being the gem of the opera, admired and hackneyed as it is.

To follow the career of Braham from the period about which we are now writing—from 1806 to 1816—to the present day would occupy more room than we can afford to a hurried sketch in these papers. From the moment that he gained the loftiest position as a vocalist in this country until he quitted the stage, he retained his place and his reputation, unperilled through all changes and vicissitudes, through prejudice and pique, through good and indifferent report, through party spirit and favoritism, through love of novelty inherent in the play-going public, through even the weariness supposed naturally to result from too frequently seeing and hearing the same artist. Indeed, in the case of Braham, it would seem as though his audiences were never tired of calling Aristides the Just. Assuredly nothing but talents and accomplishments of the highest order could have conduced to such a result. Braham, in his earliest days, as a singer, had to contend against the popularity of Incledon, one of the most gifted and remarkable vocalists this country ever produced; but Braham's superior musical endowments, his greater art, and his knowledge and acquaintance with the Italian school, whereby he was enabled to master all varieties of singing, gave him many advantages over his great rival. While Incledon confined himself by necessity to English music—and even there his vocal powers were in a great measure restricted, Braham could roam discursive through every region of song, and adapt himself to each particular style. Incledon, nevertheless, was the only dangerous antagonist Braham ever encountered on the English stage. Sinclair, who enjoyed for years a considerable reputation, was a singer of a different class altogether, and had no pretension to be compared to him in any respect; and the other tenor singers of the day, however meritorious and excellent, individually and in their appropriate places, are entitled to little consideration when speaking of Braham.

In the year 1835, Braham built and opened the St. James's Theatre, at a cost, it is said, of thirty thousand pounds, and became the manager of an operatic company; and the same year he purchased the Colosseum at a large price, and provided a novel kind of entertainment in that splendid edifice. Both speculations, however, proved ruinous, and the fruits of many years labour were swallowed up in a short space of time. The St. James's Theatre and Colosseum were disposed of at an enormous loss, and Braham again appeared on the stage under another

management besides his own. From this time, though occasionally joining the opera *troupe* at Drury Lane, and elsewhere, his exertions were principally confined to the concert rooms and oratories. In 1839, he played William Tell, in Rossini's opera of that name, and created a powerful impression in the part. None who heard him can easily forget his profoundly pathetic singing in the air with violoncello accompaniment, which Tell addresses to his son previous to his shooting the apple from his head. The music of the part of Tell is written for a barytone—not a high one—but Braham's power in the middle register, and depth in the lower tones, always enabled him to undertake barytone parts with some trifling transposition. In this respect he resembled the renowned Donzelli, whom we have heard one night singing the high tenor music of the Count Almaviva in the *Barbiere*, and the next night the barytone music of Count Almaviva in the *Nozze di Figaro*. But both Donzelli's and Braham's voices were exceptional; and we have no singer on the modern stage to which either of them may be compared. About this time, too, Braham appeared as the Don in *Don Giovanni*, at Drury Lane, and sang the music with a peculiar charm. The last time Braham appeared before the public, was in March, 1852, at the London Wednesday Concerts, when he was induced to enter into an engagement to give a series of final performances at Exeter Hall. These performances, in consequence of bad management, were never concluded, and thousands were thereby prevented from hearing Braham. Of the singing of the great tenor on that occasion, we shall only say, that if it were not equal to his best efforts in his best days, some forty years ago, it showed astonishing vigour and energy, and produced an effect, literally impossible to describe.

In one of the essays of Elia, written some thirty years or more since, the quaint and humorous Charles Lamb, writing of Braham in his usual off-hand way, thus adds one to the many opinions so frequently expressed, that to his good sense he was mainly indebted for his high standing in his profession:—

"There is a fine scorn in Braham's face, which nature meant to be of _____. The Hebrew spirit is strong in him. He cannot conquer the Shilboleth. How it breaks out when he sings, 'The Children of Israel passed through the Red Sea!' The auditors for the moment are Egyptians to him, and he rides over their necks in triumph. There is no mistaking him. Braham has a strong expression of sense in his countenance, and it is confirmed by his singing. The foundation of his vocal excellence is sense. He sings with understanding, as Kemble delivered dialogue. He would sing the Commandments, and give an appropriate character to each prohibition."

In 1816 Braham was married to Miss Bolton, of Ardwick, near Manchester. He has been for many years a widower, and has six children living—two daughters and four sons. One of his daughters, the Countess Dowager of Waldegrave, is now united to Mr. Harcourt, her third husband. Of Braham's four sons there are three in the profession—Charles and Augustus, tenors, and Hamilton, a bass.

It only remains to add that the renowned singer is now living in retirement, in the enjoyment of excellent health and spirits. Approaching close upon his eightieth year, he is still sound in mind and vigorous in body. That indomitable energy which exercised so powerful an influence over the fortunes of his art has not yet deserted him, and would not fail him in the hour of need. The sun has set on his glories for ever, but their memories will remain to illumine the history of his art long after less perishable things have passed away without a record or a name.

AN American writer says, "Most of our countrymen have yet to learn what an orchestra is, and I fear it will be a long time before our cities will have them of their own. I know of but one attempt at orchestral music by our own people, and that is the amateur club in Boston."

NEW YORK.—M. Maretzel's *troupe* began the season with *Lucia*, the executants being Mdile, Gomez and MM. Neri-Barraldi and Graciani, who were well received.

MUSIC IN THE MIDDLE AGES.

WHILE the learned were so busy giving Greek names to the Church scales, they remarked, that the instrumentalists played in none of these scales. Whoever spoke of an instrumentalist at that time, meant to designate a fiddler and a sort of handcraftsman, that was not worthy to be reckoned among musicians. As these pariahs in music commonly played in C major, their plebeian scale was called *modo lascivo* (the licentious key). *Modo lascivo*, C major; the natural key *par excellence*. Is not the title infinitely queer! Never had Truth a sincerer eulogy bestowed on her, with the plain purpose of disgracing her. How pleasantly ears, dedicated from principle to the hardest crucifixions, must have been tickled by this key, which they had branded with the epithet *unchaste*! I shall be told, that the composers in the improved Lydian Mode had transposed this scale into the Fourth. Yes, but we have seen that they avoided with all their might the consequences of these normal scales, both as regarded the tune and modulation; the fiddlers, on the contrary, gladly and willingly accepted them. Herein lies the difference; they sinned without shame against the Greek Modes, without trying, through the mediation of Gaforius and other casuists, to reconcile themselves with the system. The ear found its account in it, and the highly disturbed theory shrieked anathema over such criminal enjoyment. *Modo lascivo*, it thundered out! Such was the spirit of the schools, and such, we may add, the spirit of the age. A sensual gratification, innocent as it was in itself, might lead into temptation, and arouse the evil one, who knows how to assume all forms, even that of the major scale.

We come back to our question, which, after what has been recalled to mind, resolves itself. What should, what could the musicians make, who first strove to fulfil their calling as artists? Melody? But Art, as it was, offered them none, and the principles which guided them made it long impossible. Harmonic sequences of any value? But scales, chords, modulations, all this was *terra incognita* for them. Could purely rhythmical effects be asked of them? Perhaps they might have found such, had they been composing for the drum; but they composed for the voice, and in all music which contains more than rhythm, that—I mean that which produces the effect—is inseparable from the Melody. Surely the composers of the fourteenth century possessed none of the elements, whose use would have allowed them to treat Music as one of the forms of Poetry. The aesthetic part of Art, which is the Art itself, never entered their thought; and how, I ask, could it have entered? Since they were utterly destitute of every means of moving and of pleasing, how should they ever dream that pleasure and emotion are the true and only ends of music? That would have been as much as to condemn themselves to doing nothing, and yet they had to do something. The answer lies in their works.

Music by its compound nature exhibits two essentially distinct points of view, one of which happily never rose above the horizon of the Middle Age. Music is an Art, but it is also in the broadest sense of the word a Science, since it rests on calculation. To say nothing of the Canon, with which we rationally do not allow ourselves to be much perplexed at this day, there are melodic steps to be counted, rhythmical distances to be measured, harmonic intervals to be spanned, multiplied passages to be combined, all which is expressed by numbers. Considered under this point of view, all the problems of the ear resolve themselves into numerical formulas; and that was the side which the contrapuntists, who still were no musicians, could lay hold of, and of which they actually took possession. To them music fully seemed a branch of practical mathematics, and as such they treated it. The example of Machault has shown us to what their first calculations were limited: namely, to reckoning the intervals, to distinguishing the value of the notes, to multiplying signs upon the lines in the different parts by the mingling of parallel, oblique or counter movements. This was little. Soon the musicians comprehended that they must give the greatest possible expansion to the mathematical principle, the only one of value that could guide them; that they must invent some sort of generative rule involving an infinitude of calculation,

which should be deep enough, or prepare difficulties enough, worthily to occupy the adepts of musical science.

Since the world began, there have been probably but two ways of singing in chorus. Either all began at once, or one intoned the tune as leader, and the others joined him after a longer or a shorter pause, either in unison or in harmony. Might there not be another way than this, and might not the same passages, both tune and words, commence one after another in succession? is the question that might have been raised, we know not where and when, by some of the men predestined to discoveries—and to oblivion. A very simple thought to be sure, but one out of which three centuries were to derive their wisdom, and one which bears a Palestina, a Bach and a Mozart in the germ, to which three shining rings the whole future, the whole welfare of Music, and the chain of years are linked. Every one of my readers has already named the Canon.

The most immediate result of this thought was such an arrangement of the voices, that one seemed to flee before the other; for while the second repeats the words of the first, the first, without resting, has passed on to a new passage, which it leaves as soon as the voice, that is behind it, reaches the same place. If there be more than two voices, the third bears the same relation to the second, the fourth to the third, and so on. Since neither hastens its movement, neither lags behind, and all keep on in the same time, separated by uniform distances, there arises an emulous race towards one point of union, that is never reached; this is called an endless fugue, a canon. From literal repetition of the subject to proper imitation, was not far. Instead of treating the theme thus in unison or octave, they could treat it in the fourth, the fifth, and all the intervals; instead of reproducing the precise melodic form of the theme upon the other steps of the scale, they could invert the order of the notes, of which it was composed, reproduce it contrarywise and give it a retrograde motion; they could begin with the end, and end with the beginning; they could amplify it or abridge it, compose it anew with the notes of the longest or the shortest duration; they could do a thousand other things with it. I need not explain the rules of the Canon, with which I presume the reader to be already familiar; but the little I have said will give some idea, even to those who do not know it, of the countless multitude, the infinite variety, and the uncommon difficulties of the combinations that are implied in them.

During a period of some two hundred and fifty years the Canon erected itself more and more among musicians into a universal and supreme law; it was the exclusive thought of their investigations and their striving, the only measure of their talents and the condition *sine qua non* of their celebrity; it swallowed up all, not only church music, but the little that there was of worldly music. The imprisoned thought conformed itself so well to this canonical slavery, that had become supreme law to it, that it fell into an absolute incapacity of producing anything else but Canons. Every melody that germinated in the head of a musician, was worked up into a Canon. Wholesome constraint, fortunate slavery for those who knew not how to make use of freedom! A little less restraint, and the musical thought of that time had been reduced to nothing.

As the Canon was the touchstone of the science of composers, so too it served to display the musical knowledge and acuteness of the singers. They seldom wrote the parts entirely out, but left the work in an enigmatical form, and commonly with a kind of device, containing the solution of the puzzle; for instance: *Trinitatem in unitate veneremur; Nigra sum sed formosa; Cancrisat* (retrograde or crab-like imitation); *Crescit et decrevit in duplo, triplo, etc.* (Imitation by amplification, or by double or triple diminution); *Descendegradatim* (probably imitation a second below); *Contraria contrariis curantur*. I do not wholly understand the meaning of this last maxim, but I hold it to be not at all dangerous in music. The great Hahnemann himself would say that it could not operate fatally. In this way one had to be as good a mathematician to sing a Canon, as to compose one; and making music in the time of Charles V. and Francis I. was no trifle of brain-twisting labour. In this way the composers avenged themselves upon the singers of their time, and upon the

later historians, for the incredible toil, which their trade as canonists occasioned them.

When we to-day look upon these master-works of patience and of ingenuity; these calculations, in which not the remotest account is made of Melody and Harmony; these problems, in whose solution we find nothing that resembles music; this toilsome labour, which smells so of the lamp, of octaves and of quints, we are tempted to ask: *Canon what will thou of me?* as a learned Frenchman asked of a Sonata. Not being acquainted with the latter, I cannot say what answer it made. But as it respects the Canon, this replies very clearly and intelligibly: "I will that you should recognize in me the product of a necessary striving, which alone could lead Art to the goal of its high destiny. I demand respect and gratitude of the friends of Music. Name to me anything great and enduring among the commonly so ephemeral productions of music, in which I have not participated largely. Rightly understood, I am the chief pillar of sublime church music, of the grand instrumental music and good chamber music; and those who would banish me entirely from theatrical music thereby doom themselves to die young. If, to be sure, I appear ludicrous and meagre in the fifteenth century, the reason lies in this, that I had neither the support of the Accord, which was scarcely known, nor of Melody, which was not known at all. Could I dispense with their aid, and become Music by myself alone? Just as little as the granite, the marble, the cement, and the iron could dispense with an architectural plan, and put themselves together into a palace or a temple. So, too, what were palace and temple, if there were no stones, no iron, and no lime? What would the great architects of harmony, BACH, HANDEL, HAYDN, and MOZART have undertaken, had not dexterous and persevering labourers for two centuries long been breaking out the stone quarries, excavating the mines, and selecting, hewing, shaping, and matching the solid materials which I, the Canon, with my imitations, my repetitions, my inversions, my thematic analyses, and my double counterpoint present so faithfully? What would they have made? Pretty little summer houses of painted wood, whose cornices and friezes and embellishments would have consisted of roulades, fresh and shining for an hour, when fashion would blow over them and every vestige of them disappear."

Now, this answer of the Canon is in certain points correct, nay instructive, and it pains me that people who have thought so much about the Canon, and said so much about bad taste, Gothic style, Flemish barbarism, etc., have not better understood it. It would have shown them that musical art followed quite logically the course it was obliged to enter, in passing from canonical counterpoint to harmony, and from harmony to melody, instead of beginning with this latter. Did not the languages follow the same course, after they had once grown up to literature? In all languages, taken in their first stages of development, verses came before prose, and the form ruled before the thought. Everywhere tradition and authority exercised an indispensable necessary guardianship in the infancy of the practical science of reason and taste, which grow up and keep even pace together. The development of modern languages presents, in comparison with musical language, a series of correspondences which are not to be mistaken, whether we regard their multitude, their growing mutual relations, their historical and logical concatenation, or their perfect exactness within the proper bounds of their analogy. The primitive and artless chant corresponds perfectly to the primitive and artless poetry which served it for a text. Counterpoint in general is the written versification, of precisely the same age with itself, which was based upon combinations not less difficult, not less arbitrary and childish, and altogether identical with its own. Of this sort are the final rhymes, acrostics, Leonine verses, which rhymed in the middle and the end, the old ballad form, the King's song, the sonnet, the Sextine and the many other different kinds of measure, in which the poet had to overcome greater or lesser difficulties; in a word, all the poetry, whose only merit consisted in the surmounting of difficulties; a poetry for the eyes, just as the contemporary music was only a music for the eyes.

A. OULIBICHETT.

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